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**Power and Finance at the Court of Charles V:
Francisco de los Cobos, Royal Secretary of
Charles V**

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in Economics
(Cantab) and MA in
History (OU)**

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Abstract

This thesis places Francisco de los Cobos at the centre of Charles V's imperial project. It therefore discusses his role in the context of Spanish administration, society, economy and empire. Given the emperor's voracious need for finance for his many wars Cobos is shown to be inseparable from the whole question of Castilian financial resources. The thesis is thematic, beginning by tracing Cobos's rise through an analysis of his tactics for securing and maintaining political power and social ascent by his use of Castile's institutions. This establishes the context of his world. It then considers his use of power and his political network. From his rise, through his Castilian administrative skills, the thesis shows that he was at the centre of wider developments - the financing needs of imperial policy and the emerging discoveries of precious metals in the New World.

The longest chapters relate to his central role in broadening the financial basis of Charles's royal domain wealth in Castile by, among other things, working with the towns to ensure a regular increase in taxes from the town's representatives in the *Cortes*. This solidified his position of trust and confidence with the emperor and also provided the means by which credit could be obtained through secured contracts with the bankers.

The thesis redresses the imbalance of previous scholarship where, although Cobos's importance was recognised, it was usually in an oblique or subsidiary role

showing him absorbed in the detail of administration and patronage. The thesis concludes by examining his purpose and success in entailing his wealth and family dynasty.

Preface

Francisco de los Cobos has largely been relegated by historians to a role of discreet advisor to Charles V. The thesis redresses this modest interpretation of his importance and places him at the centre of events, while recognising that not all questions have been answered or problems solved from the sources consulted.

This thesis is based principally on manuscript and early printed sources from an extensive and diverse number of archives but also draws widely on existing secondary material. I am indebted to scholars who preceded me and did much of the spadework in the relevant archives. While critical of Keniston's 1958 biography, his solid archival work provided many leads to follow. The high standard he set is evident by the reluctance or inhibitions of historians to raise further questions or re-examine archival sources. Partly this is explained by the difficulty of the palaeography of Cobos's 'hand' and partly by Cobos's epistolary discretion. Even such an estimable scholar as Ramón Carande has commented on this difficulty. Thus help from archivists in translating particularly difficult phrases, especially at Simancas and at the Camarasa archive in Seville, was crucial in advancing the thesis.

I am also grateful for the help of the staff of the *Biblioteca Nacional* in Madrid where much of my time has been spent. Guidance to the archival material at the town hall in Úbeda and the private archive of *Zabálburu* in Madrid was also most helpful. I would like to thank Eduardo Anglado

Monzón of the *Biblioteca Nacional* for introducing me to Aurelio Valladares and Joaquín Montes Bardo of the *Universidad Nacional de Educación a Distancia* in Úbeda. They were both helpful in locating manuscripts in Úbeda and in interpreting the importance to Cobos of the chapel of El Salvador in that town.

I wish also to thank the John Carter Brown Library in Providence, Rhode Island and Pepe Amor for granting me the José Amor y Vázquez Fellowship to study at this remarkable library of early printed books and maps. My frequent visits there also gave me the opportunity to meet Fellows and Invited Scholars and to exchange ideas on our different studies. I thank Norman Fiering and Ted Widmer for permitting me to return each summer for further study and to enjoy the most stimulating of environments. My thanks also go to James Muldoon, Professor Emeritus, Rutgers University, for our long lunches and discussions on medieval institutions that continually fired my enthusiasm.

I further wish to thank my supervisors at The Open University, Dr. Ole Grell and Dr. David Goodman, for their helpful criticism, and valuable advice. Finally, I am grateful to my wife, Patricia, for her forbearance in accepting my long absences and forgetfulness on many issues, and my son, also named Dryden, for proofing and improving the style of some of the chapters.

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Glossary of Spanish Terms

Technical contemporary terms are an inevitable encounter in studying Spanish manuscripts and secondary Spanish sources. In many cases there is not a suitable English counterpart. Thus, I mainly have left the originals, in italics, and provide this Glossary as guidance. The Glossary does not include every term that may be unfamiliar to readers, but only those most commonly encountered. The rest should be clear from their contexts.

Adelantado: governor of a province.

Adelantamiento: domain of an *adelantado*.

Alcabala: Castilian sales-tax.

Alguacíl mayor: high constable of an incorporated Spanish town.

Arbitristas: writers drafting proposals for political or economic reform.

Arbitrios: ad hoc fiscal expedients devised by *arbitristas*.

Asiento: contract, often with bankers.

Audiencia: high court of appeal, often with administrative responsibilities for a region.

Ayuntamiento: town hall.

Cabecera or cabeza de partida: centre of administration of a group of towns or villages.

Cédula: royal decree.

Comendador Mayor: Grand Commander.

Comuneros: rebels in uprising of some towns in Castile, 1520-1521.

Consejo de Castilla: council in charge of domestic business of Castile and Leon.

Consejo de Estado: Privy Council.

Consejo de la Hacienda: Council of the Treasury.

Consejo de la Inquisición: Council of the Inquisition.

Consejo de las Indias: Council of the Indies.

Consulta: memorandum of advice, prepared by governing councils for the king.

Contador: treasury comptroller.

Contador Mayor: chief comptroller of accounts.

Contaduría Mayor de Hacienda: royal exchequer.

Converso: a converted Jew or Christian of Jewish descent.

Corregidor: magistrate appointed by the king to towns.

Cortes: assembly of the representatives of the towns of Castile. The non-Castilian realms had their own distinctive assemblies.

Cruzada: crusade; hence the tax levied by the Crown, by papal concession, ostensibly to support the cost of crusade but in fact often alienated to other purposes.

Diezmo: one tenth; a tax of this proportion such as an ecclesiastical tithe.

Encabezamiento: the composition of a variable revenue — the *alcabala* and *tercia* — for a lump sum paid by the towns to the Crown.

Encomienda: office of a *comendador* of a Military Order. Originally the *comendador* had to provide arms and men to the king; in return he could collect tribute within his *adelentamiento*.

Escribanía: office of an *escribano*.

Escribano: notary attached to the royal secretariat.

Escudo: family shield or coat-of-arms.

Expedientes: sale of assets to raise money.

Fueros: medieval law-code or charter granted by the Crown specifying certain traditional freedoms, including freedom from taxes.

Fundidor, marcador y ensayador: office of smelting, minting and assaying all specie.

Hábito: monk's cloak and insignia of knighthood of one of the Military Orders.

Hidalgo: a person with noble status and exemption from taxation.

Hidalguía: noble status.

Infanta: royal princess.

Infante: royal prince.

Juro: a treasury note (annuity), issued either as a royal *merced* (grant) or in return for a loan, usually secured by a specific source of income.

Letrado: lawyer with a university degree, personnel who operated state and Church bureaucracy.

Licenciado: holder of a graduate degree, usually a lawyer.

Maravedí: monetary unit for small transactions; the more valuable ducat was 375 *maravedies*.

Maestrazgos: land and revenues of the Masterships of the Military Orders.

1
Mayorazgo: an entailed estate descending by right of primogeniture; this restricted alienation and was thought necessary for the stability of society.

Merced: grant or privilege from the king.

Oidor: judge in an *audiencia*.

Pechero: tax-payer, a commoner.

Pleito: lawsuit.

Poder: power of attorney or mandate for procurators in the *Cortes*.

Privado: position of royal favourite.

Pragmática: royal decree.

Procurador: representative of a municipality in the Castilian *Cortes*.

Quinta: the king's 'fifth', or royal tax on precious metals.

Receptor: notary instructed to collect written testimony in a suit pending before an *audiencia*.

Repartimiento: quota, allocation of tax contribution among districts. Also the system of distribution of Indian labour among Spanish settlers in the New World.

Residencia: investigation or inquiry into conduct of an official at the end of his term.

Reyes Católicos: Ferdinand and Isabel, the Catholic Kings.

Señorío: lordship of large land-holding: included jurisdiction and tax collection, and was heritable in perpetuity.

Servicio: a renewable triennial grant by the *Cortes* to the king.

Siete Partidas: the great legal code of Alfonso X, dating from the 1260s.

Sisa: Universal sales or excise tax on foodstuffs.

Tercias: the two-ninths of the ecclesiastical tithe paid to the Crown by papal grant and collected with the *alcabalas* as part of the *encabezamiento*.

Venera: scallop shell used as a badge or insignia of the Order of Santiago.

Visita: tour of inspection by a judge and officials at the end of their term of office, to investigate and expose any culpability.

Chapter One

Introduction

So important was Francisco de los Cobos, the subject of this thesis, that a distinguished historian has rated him as 'the real ruler of Spain from the 1520s until his death in 1547.'¹ Yet, the only scholarly study is that of Hayward Keniston published in 1958, and not translated into Spanish until 1980.² Keniston's work contains a mass of detail and he consulted a wealth of fragmentary primary sources. This must of necessity be the platform for any new work. The challenge of this thesis is to find fresh evidence pointing to Cobos's centrality in Charles's Castile.

This is the central thesis: Cobos was not the peripheral shadowy figure of current scholarship. He was at the centre of Castilian administration. In particular, given the emperor's dynastic policies and consequent endless financial needs, Cobos's role both with the Castilian *Cortes* and the bankers made him indispensable to imperial policy. This will be established by interrogating the 'archive' of material described below with emphasis on particular themes.

The aims of this thesis are thus: to reveal the salient characteristics of Cobos's personality through examining his motivations and tactics for securing and maintaining political power and social ascent — Chapters Two and Three; to extend our understanding of Cobos's central role in

¹ John H. Elliott, review of Hayward Keniston, *Francisco de los Cobos, Secretary to the Emperor Charles V*, *Bulletin of Hispanic Studies* 39, no. 3 (1962).

² Hayward Keniston, *Francisco de los Cobos, Secretary to Charles V* (Pittsburgh, 1958).

Castile's financial administration (his remodelling of the fiscal state) - Chapters Four and Five; and to examine the sources of his wealth, not just its extent, and his purpose and success in entailing his wealth and family dynasty - an objective much dependent on the 'gift' of his emperor - Chapter Six.

This thesis is based mainly on manuscript sources. Much time has therefore been spent in state, municipal and private archives. Of these, the most valuable are: the *Archivo General de Simancas*, Valladolid; the Camarasa family archive in Seville and of course the Cervantes room in the *Biblioteca Nacional*. Details of these archives, and others, are contained in the bibliography. Correspondence with some of Cobos's powerful friends has been particularly useful in demonstrating his involvement in a broad range of issues and how he made use of his network of patronage. Most of the correspondence is to Cobos and therefore in the absence of his answers inferences must be made from subsequent letters from the correspondents. The collection of letters from Francisco de Borja compiled by the Society of Jesus was especially useful. The papers on Cobos's *mayorazgo* (Appendix Three) contained in the family archive in the *Casa de Pilatos* at Seville are important in understanding the sources of his wealth and the methods he used to protect this. Finally, transcription of his last will and testament (Appendix Four) also found in the family archive gives a clear statement of his life's purpose.

While John H. Elliott considers that a 'knowledge of Cobos's career is important for our understanding of Charles V's government in Spain,' he believes that Keniston's work is more 'chronicle/biography, not an analysis of policies and administration,' a view which this thesis largely shares.³ Keniston's work represents itself as a study of Castile's administration through the career of its premier bureaucrat. But Elliott thinks that 'the way in which Castile was really governed in Charles's reign still remains a mystery, requiring a study more along the lines of a Carande.'⁴ J.L. Phelan writes that Keniston 'is good on the origins of the Spanish bureaucratic state, whose foundation was laid during Cobos's life. Cobos was the archetype of the new kind of bureaucrat, industrious, loyal, meticulous, orderly, prudent, and somewhat unimaginative, these bureaucrats were decisive instruments in the fashioning of royal absolutism.'⁵ This conclusion may seem reasonable, but the adjectives he uses for defining the 'archetype bureaucrat,' are a necessary but insufficient description in Cobos's case.

Cobos was not a *letrado* (trained jurist) — he was different from the bureaucrats who emerged under the Catholic Kings. *Letrados* had degrees in canon or civil law from the *colegios mayores* (graduate schools). Derek Lomax,

³ Elliott, p. 195.

⁴ Ibid., p. 195. This is a reference to: Ramón Carande, *Carlos V y Sus Banqueros*, 3 vols (Barcelona, 1987).

⁵ J. L. Phelan, review of Hayward Keniston, *Francisco de los Cobos: Secretary to the Emperor Charles V*, *Speculum: a Journal of Medieval Studies* 36, no. 1 (1961).

in his review, also considers Keniston's work as more a 'biography of a bureaucrat.' He writes that 'there is no analysis of the relation between Cobos's policies and the effects on national life. The social, political and religious events of the age are passed by.'⁶ The implication is that Cobos, and perhaps Keniston, had no interest in these issues. As an account of 'events' Keniston's work does not illuminate Cobos or the reasons for his importance to Charles V and the empire. If the subject matter of history is 'human thoughts,' as postulated by Collingwood — an arguable proposition — then in the absence of a core body of private papers, we will never know Cobos's thoughts. Cobos's political ideas or policies do not emerge from Keniston's study. Keniston's monograph is an account of 'events' and a catalogue of promotions and gifts, which do not reveal the role of this undoubtedly powerful figure. Cobos's influence on Charles V is established as a general principle, but his specific authority is not defined, except in relation to bureaucracy and financial problems.

So why was Cobos so important to Charles V? The answer to this question may also help to throw more light on the shadowy figure of the emperor. The thesis will examine evidence of Cobos's actions from, among other things, letters, books of account, *escrituras* of sales and purchases of property, records of meetings in the Castilian Cortes and of course his *mayorazgo* (perpetual entailment). The thesis

⁶ Derek W. Lomax, review of Hayward Keniston, *Francisco de los Cobos, Secretary to the Emperor Charles V, Hispania (Madrid)* 23, no. 89 (1963), p. 133.

will interrogate sources on issues of policy to clarify Cobos's role, whether as advisor or follower of Charles's actions. It will also examine areas of policy, where Cobos and others express views, for evidence of the centrality of his role on the issues, which preoccupied the court.

Keniston's book is criticised by Fernando Chueca Goitia as 'lacking a personal interpretation regarding Cobos's character. It is so detailed that Cobos's human profile is lost; we have difficulty distinguishing the talents that contributed to so prodigious an ascent.'⁷ Wallace K. Ferguson also wrote that due to the concentration on official papers, Keniston 'helps us to see the secretary, but we only dimly perceive the man behind the office.' 'The workings of the imperial government are somewhat obscured by the mass of detail on favours and rewards.'⁸ Much of what we do know about Cobos comes from chroniclers such as Pedro de Mexía and letters from his followers, ambassadors and contemporaries.⁹ There are also protocols of notaries in Úbeda, Granada, Seville and Valladolid which mainly record inventories of his properties, exchanges and sales. Indeed the papers of the Camarasas (Cobos's legacy title), held within the *Fundación Ducal de Medinaceli*, give a financial record of the wealth accumulated during his life. It is curious that we are so dependent on these financial

⁷ Fernando Chueca Goitia, 'Francisco de los Cobos: Política y Mecenaz,' *Mágina-Revista Universitaria, Extraordinario 'Francisco de los Cobos'* 6 (1998/99), pp. 5-13.

⁸ Wallace K. Ferguson, review of Hayward Keniston, *Francisco de los Cobos, Secretary to the Emperor Charles V*, *The Canadian Historical Review* 41, no. 4 (1960).

⁹ Madrid, Biblioteca Nacional, Ms 1926, Pedro de Mexía, 'Historia del Emperador Carlos V.'

documents – his testament and his *mayorazgo* (entailment) – relating to his possessions. It is as if Cobos is making a statement – 'look how much I have achieved, and from whence I have come.' He has perhaps, therefore, deliberately revealed this much about his patrimony.

Importantly, Cobos was in charge from 1510 of the royal register of *mercedes* (gifts and privileges) for Castile and the Indies. He knew the importance of *mercedes* to his own ascent and was an avid collector of *mercedes* throughout his career. As the custodian of privileges he knew the background of all the courtiers, and this may have been a key to his power and influence. Yet we have little record from his private papers of his opinions on these people. We are thus largely dependent on other peoples' references to Cobos, and possibly background checks made when he took the *hábito* of the Order of Santiago. As part of this enquiry the thesis will analyse primary sources and unpublished archival documents, which are to be found in various regions of Spain. These sources will be organised by following various themes.

Keniston states that the personal letters of Cobos were largely eliminated from the official files; this is explained as resulting from the usual unclear distinction between public and private papers. It was quite common for royal secretaries to take official papers to their homes. Cobos's political discretion may have been the reason for not preserving documents that made personal references to himself, his opinion on others, and on the events of the

day. Antonio Sánchez González, a director of the Medinaceli Ducal Archive in Seville, has written on the family papers of Charles's secretary.¹⁰ He explains that before Simancas, which was not established until late in Cobos's life, state documents were simply passed on from previous secretaries to their successors. Thus in 1508, the widow of Fernando's secretary, de Gricio, delivered papers to Lope Conchillos, whose widow in turn in 1522 passed papers to Cobos. Alfonso Valdés, a secretary to Charles V, wrote a clause in his will requiring his papers to go to Cobos. These arrangements, of course, left much scope for papers to go astray. But intriguingly Sánchez González suggests that Cobos would have considered the register of *mercedes* and privileges as private papers even though written in a 'public function.' Therefore, a widespread hunt for archival evidence is necessary before accepting Keniston's presumption that 'he eliminated from his files all of his personal correspondence.'¹¹ Sánchez González writes on patrimonial sources which 'authenticate the management of Cobos's possessions amassed through his life.'¹² These documents are in the family archives, mainly located at the Medinaceli Ducal Archive in Seville. They principally relate to his investments and his many *mercedes*. Keniston has thoroughly reviewed this family archive and his work is informative as to the size of Cobos's recorded wealth.

¹⁰ Antonio Sánchez González, 'La Documentación Patrimonial del Secretario de Carlos V' in *Francisco de los Cobos y su época* (Madrid, 1997), pp. 69-79.

¹¹ Keniston, p. 372.

¹² Sánchez González.

A chronological account of Cobos's life, such as that of Keniston, also has the advantage of illustrating the importance to Cobos of monetary motivation in his upward mobility. The section in the Simancas archives entitled *Quitaciones de la Corte* demonstrates the record of titles and rewards for his upward progress.¹³ But is it reasonable to consider Cobos's motives as only those of social prestige and wealth, with his career marked by an increase in honours? Certainly this theme of riches and prestige dominates his life as portrayed by Keniston. But it begs the question of how such a man, whom Lomax calls a 'mediocre functionary at best,' could rise so high?¹⁴ The answer that he was affable, loyal and industrious - qualities, which Elliott writes, 'were necessary for success in the Castile of Charles V' - somehow is inadequate to explain 'the most powerful man of his epoch.'¹⁵ He probably was a pragmatist, not an ideologue, but he is defined by Keniston as an accountant, with many references to his lack of culture; thus his career moves and *mercedes* look planned and predictable. We follow him from his early investiture into the Order of Santiago; his strategic marriage with María de Mendoza, daughter of the Count of Rivadavía, linking him to one of the most powerful families. This marriage illustrates the possibility of class movement between the new bureaucracy and old nobility. This is also shown by his

¹³ AGS, QC, leg. 16.

¹⁴ Lomax, p. 134.

¹⁵ Elliott, p. 196.

building of palaces in Valladolid and Úbeda; his purchase of *señoríos* (feudal domains) from the Order of Calatrava at Sabiote in 1537, near his home town; his *mayorazgo* for his descendants; and his monumental sacred chapel of El Salvador. In Chueca's felicitous phrase, Cobos was 'creador de una Villa Ducal, sin ser duque' (creator of a ducal town, without being a duke).¹⁶ The ultimate ducal title was not to be his.

But perhaps his crowning glory was receiving the *Adelantamiento* of Cazorla. This was an ecclesiastical *señorío* on the Castilian frontier, conquered from the Moors by the archbishop of Toledo in the 13th century, and therefore within the gift of these archbishops. Given Cobos's birth he could not expect ennoblement but, knowing Cazorla and its wooded mountains near his home, he may have considered the *Adelantamiento* as the ultimate in prestige. Although Charles V granted nobility to Diego de los Cobos, Francisco's son, on his marriage into nobility with the title of *Marqués de Camarasa*, Diego was to lose the *Adelantamiento* of Cazorla through prolonged litigation. Thus the accountant, Cobos, could not successfully plan, as he thought, beyond the grave.

Turning to Cobos's relationship with the emperor, Ramón Carande uses a review of Keniston's book to place different emphases on Cobos's importance and the reasons why 'Charles V placed so much weight on him for the financial

¹⁶ Chueca, p. 6.

administration of the country.'¹⁷ He considers Charles's 'Secret Instruction' of 1543 written in Palamós, on 6 May 1543, for his son Philip, the Prince Regent, to be a good measure of Charles's opinion on Cobos.¹⁸ It represented his last wish and testament in case of misfortune on his Italian campaign. The confidential text gives a portrait of various advisors close to the prince, and confirms Charles's astuteness.

The 'Instruction' reads that Cobos was a faithful servant, and Charles did not think that he took important 'gifts.' He was experienced and well-informed, capable in government, principally in finance, and 'if necessary he would be as good a reformer as anyone else.' Carande writes that, as usual, Charles is sparse in praise and 'pone junto a la luz la sombra' (places darkness next to light) by saying that Cobos was old and in pain, and less hard working; his wife María was greedy and gave Cobos an unfair reputation. The prince should not give Cobos unlimited authority but must instead share power with Juan de Zúñiga:

Do not listen to Cobos's enemies and don't forget that Cobos was friendly with women, and, if he sees that you wish to go with them, he will help you. Therefore, in what concerns virtue and the governing of your person Zúñiga will be an antidote to Cobos.¹⁹

¹⁷ Ramón Carande, 'El Atrayente y Ambicioso Francisco de los Cobos,' *Real Academia de Historia Boletín*, 149, no. 2 (1961).

¹⁸ *Corpus Documental de Carlos V*, ed. by Manuel Fernández Álvarez, 5 vols (Salamanca, 1975), II, pp. 104-118.

¹⁹ *CDCV*, II, p. 110.

Charles was aware of Zúñiga's dislike of Cobos and followed his policy of placing people of opposed views as counterweights for their respective natures. Nevertheless, Cobos seems to have been his preferred advisor as illustrated in another quotation from the 'Instruction' from Palamós of 6 May 1543 to the prince:

You see the confidence I have in Cobos and the knowledge he has of my business, he is the most informed of our people so take his advice.²⁰

Carande writes that no one appears as often in the text of this 'Instruction' as Cobos. 'The presence of Cobos relegates others, with the exception of Zúñiga, to second rank.'²¹ Charles's earlier 'Instruction' of 1539 to the regent Tavera reveals the same preference. There is much in these 'Instructions' that is revealing on Cobos. It would indeed be useful if we had a similar letter revealing Cobos's views on Charles. Others, such as the chronicler Sandoval also thought that Cobos deserved his rise, and wrote that:

Fueron muchos los bienes que tuvo este fiel ministro de Su Majestad, pero no todos los que pudo, como han tenido otros con menores sevicios en pocos días (This faithful minister had many goods, but not everything he could have had, like others less-deserving).²²

Although Cobos was by now pre-eminent, Carande believes that his rise was gradual. He seems to have become a

²⁰ Ibid.

²¹ Carande, p. 246.

²² BN, *Biblioteca de Autores Españoles*, Fray Prudencio de Sandoval, *Historia del Emperador Carlos V*, 3 vols (Madrid, 1956), II, p. 634.

favourite of the Grand Chamberlain, M. Chièvres, Guillermo de Croy, when he joined Charles's new administration in Flanders in 1516 with a letter of introduction from the regent Cisneros. Cobos had worked in various posts in the administration of Castile for some 15 years and therefore was well qualified to advise the Grand Chamberlain on Charles's new dominions. Carande, quoting from Cedillo's book on Cisneros, believes that Cobos only occupied minor positions while in Flanders.²³ He therefore finds it difficult to accept Keniston's view that when he returned to Spain with Charles 'he was in effect already the first secretary.'²⁴ What is certain is that his move to Flanders showed ambition and his judgment to be close to the centre of power in a fluid situation. This step probably helped his relationship with Charles for the rest of his career, as he was identified as an early loyal retainer. He was named secretary to the Council of the Indies in 1523 on the death of Conchillos. This was to be the source of much of his wealth. Yet, he was not named Secretary of State until 24 October 1529, and only appointed to the Royal Council in that year with the fall of Secretary Juan Alemán (Lallemand) — a Burgundian from Franche-Comté who had worked there with the Grand Chancellor, Gattinara — accused of venality and passing secrets to the French.²⁵ Cobos received the Order of Santiago's *Comendador Mayor de León* in 1527. He had taken

²³ Ibid., p. 247.

²⁴ Keniston, p. 38.

²⁵ Ibid., p. 111-114.

the *hábito* of that Order in 1519, and this was now the highest position within the Order. Meanwhile, Charles kept him happy with *mercedes*, but not the prestigious title that he craved — *un hijodalgo* (a knight of pedigree). Keniston postulates that honours and social prestige were more important to Cobos than money, and he was never ennobled or given the Order of the Golden Fleece — although a *Comendador Mayor* of a Military Order was precluded from simultaneously holding the Order of the Golden Fleece. This raises the question of Charles's motivation, which will be discussed in later chapters. Charles also granted Cobos the position of '*fundidor, ensayador, y marcador*' (smelter, weigher and stamper) of specie from the Indies in 1519, whereby he received one-per-cent of the assayed value of bullion. This would not be profitable until extended to the conquests on the mainland.

On Cobos's meteoric rise to power, Keniston quotes widespread, favourable contemporary opinion. Pedro de Mexía wrote in 1524 that 'the emperor was placing great trust in Cobos ... and most of the public business passed through his hands.'²⁶ Foreign ambassadors and even Bartolomé de las Casas, Sepúlveda, and the chronicler of voyages, Francisco de Oviedo, wrote favourably. Keniston writes that López de Gómara, in his *Anales y Crónica de la Nueva España*, believed that Cobos was '*diligente y reservado, óptimas dotes de todo secretario, pero con excesiva afición a las faldas y a los*

²⁶ Pedro de Mexía, *Historia del Emperador Carlos V* (Madrid, 1945), p. 352. [Published from BN Ms 1926].

naïpes' (diligent and secretive, the perfect gifts of all secretaries, but with an excessive interest in cards and skirts).²⁷ The discreet and reticent Cobos perhaps has deprived us of further knowledge on these subjects by the lack of his personal correspondence. But the raffish language in Diego Hurtado de Mendoza's letters to Cobos with their ribald tone describing some of their Italian adventures, and suggesting Cobos return soon, illustrates his apparent contrasting characteristics, and hints at a more frivolous side to his nature. This will be developed in Chapter Three. González Palencia in his *Vida y Obras de Don Diego Hurtado de Mendoza* writes similarly about the adventures of Cobos and Hurtado de Mendoza.²⁸ Charles referred to this aspect of Cobos's character in his 'Instruction' of 1543 to his son, Philip.

Keniston devotes some space to contemporary views on Cobos's venality.²⁹ Carande considers that Charles was too indulgent with Cobos and too harsh on his wife María. Charles blamed María for Cobos's reputation, 'unos presentes pequeños que hacen a su mujer, le infaman' (gifts to his wife give him a bad reputation).³⁰ His 'Instruction' of 1543 to the prince also showed an awareness of this issue, but

²⁷ Keniston, p. 359. From López de Gómara, *Anales del Emperador Carlos V.* BN, Ms 1751.

²⁸ BN, Ms 10459, Diego Hurtado de Mendoza, *Cartas al Rey y otros sujetos*, 1554; González Palencia, *Vida y Obras de Don Diego Hurtado de Mendoza*, 2 vols (Madrid, 1932), I.

²⁹ Keniston, pp. 358-367.

³⁰ CDCV, II, p. 110.

Charles 'didn't believe that he took anything important.'³¹ This was before the accusations made by the Treasurer of the Council of the Indies in 1546, at the end of Cobos's life. The charge was that his 'assay fee' on New World specie was levied before the royal *quinta*. Chroniclers such as López de Gomara and Santa Cruz also referred to his abuse of power. Francis I gave him a present of 1,200 ducats after peace negotiations in 1538. Ten years earlier, secretary Alemán had been dismissed for similar conflicts of interest, although there is no suggestion of divided loyalties by Cobos. Cobos had refused gifts of money and annuities from Martin de Salinas, Charles's brother's ambassador, when he believed there would be a conflict of interest. Yet his continuous involvement in raising funds for the imperial policy, and his role in negotiating on different fronts would have attracted commissions for Cobos from bankers and foreign powers.

An example of his dual interests was his negotiation of the papal bull to dispossess the Military Orders, with their property to be sold to the highest bidder. Cobos was a bidder for the *señorío* of Sabiote with its castle and lands. This will be explored in Chapter Four. Venality was universal among courtiers of the time and has to be considered as part of the *dádiva* culture – an exchange of obligations – 'cosa que se da graciosamente' (something that is given graciously). Marcel Mauss's essay on the gift

³¹ Ibid.

explains gift-giving in the early modern period as more about defining the status of the gift-giver – a way for the powerful to show their munificence and magnificence.³² Cobos may have seen gifts not as payment for his favours, but as a test of the magnanimity of the giver. But it also represented a series of exchanges founded on gift and counter-gift. Natalie Davis takes an anthropological approach, relating gift-giving to networks and kinship. She writes that 'the gift that nourished friendship was broader than enrichment in the patrimonial sense.'³³ It is probable that Cobos would have agreed with this view. His reciprocity, however, was probably limited to placements and mercedes, which cost him little. Keniston shows that the only significant gift from him was to Cortés, the Marqués del Valle de Oaxaca – a suit of armour for the Algerian campaign. Yet he was in a position to realise substantial sums from gifts to obtain influence at court and he probably used this position to further enrich himself. But why was he not called to account earlier, as was his predecessor Lope Conchillos; his colleague secretary Alemán; and Eraso, Cobos's successor, who was convicted in 1560 of massive corruption on government contracts negotiated during Charles V's reign?

Keniston shows that Cobos made himself indispensable by always being available at the emperor's side, from 1517

³² Marcel Mauss, *The Gift: Forms and Functions of Exchange in Archaic Societies* (London, 1969).

³³ Natalie Davis, *The Gift in Sixteenth-Century France* (Oxford, 2000).

until 1543. The exception was 1539-41, when Charles was in Italy and Germany and Cobos remained in Spain, at first working with the regent Tavera, and later advising the Prince Regent. Keniston skilfully describes Cobos's relationship with Charles.³⁴ During most of this time Cobos was responsible for Castile, Portugal, Italy, and the Indies, and responsible also for the various financiers from whom funds would be drawn to finance the emperors' campaigns. However, as opposed to Carande, the thesis will demonstrate that Keniston's description does not give us a glimpse of Cobos's role in the 'days of Spain's universal influence.' Carande considers that Keniston's book unites the qualities of the best biographies writing that, 'we approach the character without removing him from his time and without redesigning the mould.'³⁵ He does wish, however, for more evidence on statements like 'Cobos had little sympathy with the emperor's imperial interest ... for him, Charles was King of Spain before being emperor.'³⁶ It may be a reasonable deduction from contemporary opinion that Castile suffered from imperial exactions and longed for the *Reyes Católicos* (Ferdinand and Isabel). Cobos may have been nostalgic for this tradition and he knew more than most the cost of imperial policy, from the initial purchase of the imperial crown to the financing of the numerous wars. But

³⁴ Keniston, pp. 332-355.

³⁵ Carande, p. 249.

³⁶ Keniston, pp. 333.

there are very few examples of him expressing such a view.

Domínguez Ortiz writes with his usual perception that:

La actitud de Cobos puede considerarse típica de las reacciones del hombre medio español ... escéptico en cuanto a los grandes designios y las costosas aventuras que drenaba los tesoros de España (Cobos's attitude can be considered typical of the reaction of the ordinary Spaniard ... sceptical about great projects and costly adventures which drained the national treasure).³⁷

Carande quotes a letter from Cobos to the emperor of 4 November 1544 in which he writes:

una estado de penúria de la hacienda de muy mayor, sin comparación de lo que Vuestra Majestad se puede significar(a state of the greatest penury afflicts the national treasury, without comparison from what Your Majesty can imagine).³⁸

Cobos, unlike Gattinara, did not send prolix *consultas* to the emperor. When he expressed concern, he was usually brief and discussed the growing difficulties of obtaining money. Keniston's general statements, such as: 'Cobos was stoutly opposed to the imperial ventures and on every occasion urged Charles to stay at home in Spain and rule his people in peace and prosperity,' do not cite specific sources and sound anachronistic.³⁹ Cobos rarely seems to have expressed general criticism on policy. He was a loyal servant first and last. Carande states that 'he was a secretary, and high policy was not his field.'⁴⁰ He was also

³⁷ A. Domínguez Ortiz, *El Antiguo Régimen: Los Reyes Católicos y Los Austrias* (Madrid, 1967), p. 253.

³⁸ Ramón Carande, *Carlos V y Sus Banqueros*, 3 vols (Barcelona, 1987) III, p. 369.

³⁹ Keniston, p. 178.

⁴⁰ Carande, 'El Atrayente y Ambicioso Francisco de los Cobos,' *Real Academia de la Historia* 149, pp. 245-252 (249).

astute enough to realise that Charles did not want his advice on policy. Chièvres and Gattinara had this role when Charles was young and unformed in his views. Gattinara had been ignored by the emperor – to Cobos's great benefit – and, on his death in 1530, his post as Grand Chancellor was not filled. Cobos's manner was to be discreet and not to impose his opinions. His advice to Prince Philip may have caused the latter to write more forcibly to the emperor on the financial condition of Spain, which will be discussed later in the chapters on finance. This indirect route would have been more Cobos's style. That is why it is so difficult to know the man. Carande suggests that Cobos and Charles V had a 'paternal relationship': Cobos as a father observing his son's fantasy views of a universal empire and not daring to awaken him. Cobos had great practical sense, but still admired knights-errant.⁴¹ This is an interesting psychological view, based on what we know of Charles's upbringing, but Charles was not alone in considering universal empire the only way to unite Christendom and face the Turk.

Charles's appreciation of Cobos's discretion is also apparent from personal assignments for the secretary to inform Charles on Philip's progress. Keniston reproduces a copy of a letter from Cobos to Charles written in May 1543.⁴² An 18th century copy (with the essential caution that this implies) of this letter exists in Madrid's Biblioteca

⁴¹ Ibid.

⁴² Keniston, pp. 269-271.

Nacional.⁴³ No other advisor had such a role, except for Juan de Zúñiga when he acted as Philip's tutor and wrote many letters to Charles on the progress of his protégé.⁴⁴ Charles's other counsellors, such as his confessor, García Loaysa, would remind Charles of the sin of gluttony and the disorder in his life, causing Charles to send him away from court to Rome as ambassador. Tavera, Charles wrote in his Palamós 'Instruction,'

Would enter with humility and saintliness, he believes in virtuous things and advises me to conduct business well and without passion. Was it necessary to tell me this?⁴⁵

He was clearly irritated and these advisors did not learn the lesson of Gattinara.

Charles treated Cobos as an old friend for whom he felt affection. Carande writes an imaginative description of Cobos's appearance from medals and portraits, which may or may not be authentic. The one apparently authentic painting we do have is in the J. Paul Getty Museum at Malibu, California. This is a full-face view of the *Comendador Mayor* wearing his *hábito* of Santiago and chain of office to which is appended a large jewel. It might be imprudent to draw conclusions as to his character from one painting, tempting though it is to do so. Keniston frequently refers to Cobos's 'scarce scholarly and literary culture,' and apparent

⁴³ BN, Ms 10300, 'Copia de una carta que Francisco de los Cobos grandemente estimado del Señor Emperador Carlos V y su secretario del estado, escribió a S. M. Cesárea, respondiendo a otra que tuvo de dicho Señor Emperador,' 1543.

⁴⁴ J. M. March, *Niñez y Juventud de Felipe II*, 2 vols (Madrid, 1941).

⁴⁵ Carande, p. 250.

indifference to the intellectual questions of the age.⁴⁶ His letters do not touch on any of the great cultural issues of the period. 'Friends', comments Lomax, 'write to him from Italy about women, not poetry. For him Valdés is an *'oficinista'* (clerk) and Garcilaso a postman.'⁴⁷ This would differentiate him from Granvelle and the Valdés brothers — Erasmists and scholars — and of course Gattinara, who ceaselessly discussed the empire and the papacy. Keniston alleges that the only books Cobos possessed, despite being surrounded by friends who were authors, were those dedicated to himself. His correspondence, Keniston concludes, seems to indicate that he never read literature or poetry. Elliott repeats these views: 'a complete lack of intellectual interests, ... knew no Latin, and never seems to have read a book. He did patronise the arts, but almost certainly for social rather than aesthetic reasons.'⁴⁸ Cobos may not have been an intellectual in this sense, but in these judgments by historians, there is a hint of looking down on self-made men. Keniston did not find Cobos's personal correspondence, and it is therefore difficult to substantiate his conclusion, which historians have largely repeated. The thesis will attempt to provide context for Cobos's world-view, which included the need to patronise the arts, perhaps not solely for Elliott's 'aesthetic reasons,' but as part of his endowment of a legacy, which was typical of his age.

⁴⁶ Keniston, pp. 360-372.

⁴⁷ Lomax, p. 133.

⁴⁸ Elliott, p. 195.

Cobos's visits to Italy in the 1530s would have taught him something about the arts. We know he assembled artists, sculptors and architects for his grand projects in Valladolid and Úbeda. His church of El Salvador in Úbeda is one of the glories of Renaissance Spain. Joaquín Montes Bardo credits Dean Fernando Ortega for much of the humanistic allegories and iconography in the stone-work.⁴⁹ The dean's testament, available in the *Archivo Historico de Úbeda*, states, 'digo que yo he tenido cargo de administrar la hacienda de la Capilla del Comendador Mayor' (I had charge of administering the property of the Chapel of the *Comendador Mayor*). Fernando Chueca also writes that Dean Ortega 'worked closely with his friend Cobos as mentor on artistic issues.'⁵⁰ Indeed most of the recent historiography on Cobos has discussed his patronage of the arts, for example, the special issue of the review *Mágina* for 1998/99, as footnoted below.

Carande argues that Cobos formed himself through his official writing without having time to read. Reading for leisure did not interest him, states Carande, and his foreign travels did not influence him intellectually.⁵¹ But Carande does accept that the plastic arts interested him: he patronised architecture in Valladolid and Osuna, and he imported famous works from Italy. Ferrante Gonzaga of Mantua

⁴⁹ Joaquín Montes Bardo, 'Alegoría Eucarística en la Capilla Funeraria de Don Francisco de los Cobos,' *Mágina-Revista Universitaria, Extraordinario 'Francisco de los Cobos'* 6 (1998/99), pp. 43-57.

⁵⁰ Chueca, p. 11.

⁵¹ Carande, p. 251.

was a close friend and gifted him a painting by Sebastian del Piombo called 'La Piedad' meant for Cobos's chapel, El Salvador, in Úbeda. According to Diego Ángulo, Gonzaga wrote to Piombo that it should be a religious painting of a dead Christ 'porque los españoles, como Cobos, para parecer buenos cristianos y devotos suelen gustar de estas cosas piadosas' (because Spaniards, like Cobos, to seem good and devoted Christians usually like pious things).⁵² The painting is now on display in the Prado Museum and contains this attribution. Ángulo also relates in the same article how Gonzaga negotiated the purchase of this painting, intended as a present for Cobos. Sebastian del Piombo said that Cobos 'estimaré el regalo en proporción del precio que pague el donante' (he will judge the value of the gift in relation to the price paid).⁵³ Gonzaga turned this around by saying that Cobos preferred a bargain. So, Cobos had a reputation of both liking expensive gifts but also appreciating value for money.

Cobos introduced Titian to Charles V, through the Duke of Ferrara, in 1533. He was also involved in redesigning the castle at Simancas to accommodate the public records. Diego Ángulo describes Cobos's journeys in Italy, credits him with good taste, and also describes his adventures with women. Thus it seems reasonable to challenge the assumption that Cobos was a man without culture. Cobos's *mayorazgo* shows his

⁵² Diego Ángulo, 'Pinturas del siglo XVI en Toledo y Cuenca,' *Archivo Español de Arte*, (1956), vol. 113, pp. 43-48.

⁵³ Ibid.

taste and liking for fine things, including tapestries, and cloth of gold wall-hangings 'of such fine design'.⁵⁴ He obtained a privilege from the pope to build a university at Úbeda. This was not started in his lifetime, but his widow continued to pay for teachers of Latin and rhetoric, as provided for in Cobos's testament.

Carande considers Keniston is strongest on Castile's public administration and the social life of the time. But as Elliott writes, Keniston does not study Castilian administration and the way in which Castile was governed.⁵⁵ We learn more about the functionaries and their acquisition of titles and honours. Patronage, clientage, kinship and friendship are of central importance in any discussion of sixteenth-century Spain, and have been well researched by historians. Cobos's political power was based on all of these social links. Keniston highlights the importance of the network of friends and associates that Cobos built up around himself, and which eventually gave him a monopoly of the Castilian administration and means of patronage. But to claim that his most important contribution to administration was the formation of a group of capable functionaries to manage the secretariat of Castile is putting the cart before the horse. This group was primarily loyal to Cobos and the source of much of his power. The key to promotion was neither noble rank nor the Latin education of the *letrados*, but instead loyalty, family and friendship, with Cobos as

⁵⁴ Keniston, p. 244.

⁵⁵ Elliott, p. 195.

the *patrón* of this group. This was the clientage system expertly described by Martínez Millán.⁵⁶ They were at the service of the emperor from whom they obtained *mercedes*, but it was a symbiotic relationship of personal interests and service to the crown. Royal privileges, or *mercedes*, were a way to minimise or control the level of corruption. There is some surviving correspondence with Cobos's clientage and with popes and foreign potentates. Various scattered archives and the correspondence of some of these contemporaries will be examined to establish how he made use of this network of patronage. Unfortunately, there is nothing like the wonderfully insightful collection of Peter Martyr's *Opus Epistolarum*, who was at the courts of the Catholic Kings and Charles V, and set the example of publishing his letters to his connexions; but this was not the discreet way of Cobos.⁵⁷

Keniston, writes Carande, inevitably touches on finance and 'omissions here are to be expected and could only be supplied by some specialist'.⁵⁸ Carande, as one of the greatest of such specialists, is probably being modest. But this is central to the criticism of Keniston's work. Cobos is inseparable from the whole question of Castilian financial resources. As Carande implies, Keniston is indeed weak on the financial issues. His detailing of the

⁵⁶ Jose Martínez Millán, *Instituciones y Élités de Poder en la Monarquía Hispana durante el Siglo XVI* (Madrid, 1992).

⁵⁷ Peter Martyr Anghiera, *Cartas sobre el Nuevo Mundo*, trans. Latin, selected letters from *Opus Epistolarum* (Madrid, 1990).

⁵⁸ Carande, pp. 251-252.

mayorazgo's assets and the testament is mere book-keeping. There is little attempt to examine the particular assets, their source and relative importance. Keniston quotes López de Gómara, a contemporary chronicler, who wrote in his *Anales* that 'Cobos won the favour of the Emperor so completely that for many years all public affairs, of Italy as well as of the Indies and Spain, passed through his hands'.⁵⁹ It should therefore be possible to examine more fully the nature and his handling of these 'public affairs'. How did Cobos, in his role at the Council of Finance, manage to obtain the funds needed by his emperor? Chapters Four and Five will consider this issue. Describing the context for Cobos's establishing a *mayorazgo* would also have been useful. Keniston lists the contents of Cobos's *mayorazgo* but does not examine the sources of this wealth, which is where we can see Cobos in action. This question will be discussed in Chapter Six. Keniston does not cover these matters and the thesis will examine the material available with a view to tracing the relative importance of the forms of wealth-creation for both the empire and Cobos himself.

Carande concludes that Keniston's work shows Cobos's 'extraordinary role in an era of increasing international trade-flows and merchant financiers, which changed economic and social life'.⁶⁰ Although Cobos rose through his Castilian administrative skills, he was at the centre of wider developments — the financing needs of imperial policy and

⁵⁹ Keniston, p. 348.

⁶⁰ Carande, p. 252.

the emerging discoveries of precious metals in the New World. Carande is perhaps being too generous here. Keniston's portrayal is much too absorbed in the detail of Cobos's life. We do not get a sense of the extraordinary events unfolding and Cobos's role in them. Keniston does not touch on the research of Chaunu and Carande on the effects of the doubling in price levels during Charles V's reign. This would have affected much of Cobos's activities, from his arranging provisions for the armies to the cost of financing. Even the relationship with the Fuggers is only touched upon, whereas it had major consequences for how Charles's wars were fought and the outcomes. The archival record will be scrutinised in order to uncover some of these neglected issues. For Cobos there were great rewards from his elevation, but for Castile's economy one could not say the same. We therefore need to question whether what was good for Cobos was also good for Spain. Keniston certainly shows us that Cobos was well aware of his own interests and acted accordingly. 'Honour and profit', linking material fortune with social prestige seems to have been his purpose, according to Keniston.

In another review of Keniston's book, Joseph Pérez writes that 'in financial matters Cobos seems to have had no original ideas. He used the same expedients: asking the *Cortes* for *servicios*, issuing *juros*, and borrowing from foreign bankers. Rather than a Minister of Finance, Cobos

was in essence an accountant to Charles V'.⁶¹ But this was many generations before Colbert, and Cobos operated within the limits set by his time and his emperor. Pérez writes that we find Cobos 'at each step on Charles V's journey, but his personality is well disguised'. He praises Keniston for his archival work, which 'while not producing revelations, is crowded with information of all kinds'. Pérez is saying that the book is conceived as a strictly chronological work enlightening us on many details of Charles's imperial reign. But he denies that Keniston reveals more about Cobos than the chronology of his career. He was a man who 'had an acute sense of opportunity and recognised the strong man of the moment to whom he attached himself: Hernando Zafra at the beginning, then Lope Conchillos and finally Chièvres in Flanders'.⁶² This seems a reasonable critique. Cobos's move to Flanders shows him as a risk-taker — leaving the certainty of a good position with Cisneros and Conchillos for the uncertainty of the Burgundian court of Charles. Conchillos was to lose his position and be accused of venality, a fate perhaps Cobos would have shared if he had remained. Conchillos was reappointed when he travelled to Flanders and the court; Cisneros, by not being present, was overruled by the influence of Conchillos's friends.

Pérez repeats the fact that Cobos was without a university education and did not read Latin. He was not,

⁶¹ Joseph Pérez, review of Hayward Keniston, *Francisco de los Cobos, Secretary of the Emperor Charles V*, *Bulletin Hispanique* 64 (1962), p. 280.

⁶² Pérez, p. 275.

therefore, a *letrado*. This is important. Cobos is frequently referred to as a *letrado* from Úbeda, with the implication that he was from nowhere. The Spanish phrase *los cerros de Úbeda* still means 'going around in circles and getting nowhere' or losing the thread in a discussion. But the nature of his rise is even more surprising if he was not even a *letrado*. In her work on the Mendoza family, Helen Nader drew a clear distinction between the old nobility, as represented by the Mendozas of Guadalajara, and the emerging *letrados* or secretaries who were being appointed by the Catholic Kings to counter the power of the court nobility.⁶³

It has been thought that Cobos was part of this secretarial revolution, but there was no such a clear distinction. Cobos made his own power-base, indicating some flexibility in the social system. He was not a *privado* to Charles V, in the sense Ruy Gómez da Silva was to Philip II.⁶⁴ His strength was in surrounding himself with colleagues who were neither of noble birth nor *letrados*. His first boss, Hernando de Zafra, Fernando's secretary of Castile, made him an *escribano* through a royal *cédula* of 1503.⁶⁵ The exact wording, which Keniston has translated, is to be found in the Simancas archives in the *Registro del Sello de Corte*. This was an indispensable title for further advancement. In many ways it was the key to his future power. Knowledge of the form and hierarchy of documents in Castile represented

⁶³ Helen Nader, *The Mendoza Family in the Spanish Renaissance, 1350-1550* (Camden, N.J., 1979).

⁶⁴ James M. Boyden, *The Courtier and the King* (London, 1995).

⁶⁵ Keniston, p. 8.

an understanding of the essence of the state. Impatient visionaries like Charles had no time to delve into such documents and relied on his secretaries before appending his signature and royal seal, sometimes adding a marginal comment. In effect secretaries, who prepared the Council's agenda, supplanted the role of the Royal Council.

Antonio Ruíz Fajardo states that Charles circumvented the councils and dealt directly with the secretaries in order to maintain his personal authority free from the restrictions of the members of the Royal Council.⁶⁶ Secretaries could thus draft royal decrees without the control of the Royal Council. This also undid much of the reforms of the Catholic Kings who had created bureaucratic councils, consisting largely of *letrados*, to apply royal policy. This of course opened the door to a powerful Secretary of State like Cobos to control the agenda and develop a network of influence and patronage, with council appointments of people who were not *letrados*. Keniston describes how Cobos worked, opening dispatches and preparing a resumé of key points with suggestions for the emperor's replies.⁶⁷ We know from manuscripts of Charles's letters that he wrote marginal notes, which would have to be incorporated into the body of the reply.

On Zafra's death in 1508, Cobos was named *contador mayor* of Granada and became the protégé of Lope Conchillos.

⁶⁶ Angel Ruíz Fajardo, ed., 'La Figura Política de Don Francisco de los Cobos', in *Francisco de los Cobos y su época* (Madrid, 1997), pp. 13-23.

⁶⁷ Keniston, pp. 341-343.

The latter, in 1510, gave him the post of the registrar of *mercedes* responsible for royal privileges, payments and debts. Cobos was therefore the first to know of vacant positions and the income attached. And so Conchillos and Cobos were in control of the flow of entitlements, and could thus surround themselves with relatives and friends. Cardinal Cisneros, who became regent in 1516 on the death of Ferdinand, soon tried, without success, to impose controls on the formation of such a court network of kith and kin. He complained about the 'dishonestly-acquired, scandalous fortunes of high functionaries'.⁶⁸ Count Tendilla, *Adelantado* of Granada during the pacification of the Moors, also complained bitterly about their activities. Keniston writes that Conchillos bore the brunt of the accusations of corruption, and Cobos was relatively unscathed.⁶⁹ The Tendilla archives in Toledo have letters blaming Cobos and Conchillos.⁷⁰ It is probable that Cobos also benefited from large payments over and above his salary, expenses and special privileges. Keniston adeptly describes the system of exchange and sale of offices and Cobos's role in working the system to his benefit and that of his family and followers. Indeed, this is important for the explanation of the rise of Cobos - surrounding himself, through his control of royal privilege, with trusted followers and expanding this network throughout his working life. The register of privileges

⁶⁸ Ibid., p. 12.

⁶⁹ Ibid., p. 14.

⁷⁰ Nader, p. 176.

would be his working document, his 'little black book', to keep a record on reciprocities due.

Pérez traces Cobos's rise from 1516, as a protégé of M. Chièvres, Guillaume de Croy, Charles's Grand Chamberlain, to his role in the administrative reorganisation of 1523, as secretary of the new Council of Finance — from which Gattinara, the Grand Chancellor, was excluded. In this post he had the power of countersigning all payment orders and receipts and all financial papers. This was an extension of his earlier powers as detailed in Charles's letter to Cisneros stating Cobos's duties 'to take and keep the record of our income and finances and what is paid out and consigned to our treasurers and other persons'.⁷¹ But Cobos would develop his post in the Council of Finance into a means for placing him at the centre of increasingly crucial financial policy. Keniston has not analysed the importance and growing influence of the Council of Finance. This will be part of this enquiry.

Chueca believes that Cobos's early acceptance by Chièvres was the key to his future elevation. Many of his contemporaries believed the same. Chueca considers that Cisneros had recommended Cobos to Chièvres, and his position was then reinforced by his expertise in all the intricacies of Castilian finances, and by the already large group of friends at court.⁷² Chueca writes that Cobos was adept in

⁷¹ Gerónimo López de Ayala, Conde de Cedillo, *El Cardenal Cisneros, Gobernador del Reino*, 2 vols (Madrid, 1921-1922), I, pp. 656-659.

⁷² Chueca, p. 8.

'the arts of seduction'. He gained confidences by supporting opinions of the powerful to gain their sympathy. He had good negotiating skills, but combined these with 'friendliness, wisdom and strength'.⁷³ This seems a good assessment, to which one might add that he had a non-threatening appearance, as seen in the Getty portrait — a portrait that suggests a skill for listening, thoughtfulness and caution: an expression in keeping with what we know of him. He was not haughty and domineering in physiognomy, like the appearance of the Duke of Alba's bust at the Frick Museum in New York.

Cobos's rise in the 1520s was matched by the declining influence of Gattinara, the Grand Chancellor, so well described by John Headley.⁷⁴ By 1525 Cobos was reading the royal address to the Cortes of Toledo. After Juan Alemán's downfall and the death of Gattinara in 1530, Charles entrusted to Cobos and Granvelle imperial diplomacy under Charles's overall direction, and Cobos was named a member of the Council of the Realm. Keniston shows that this arrangement was usually harmonious, with a division of labour — Granvelle running diplomacy and imperial business, and Cobos largely content with finance, Castile, the Italian states and papal affairs.⁷⁵ This thesis will not venture beyond Keniston in describing the relationship between Cobos and Granvelle. Finance became more critical for Cobos's

⁷³ Ibid., p. 9.

⁷⁴ John M. Headley, *The Emperor and his Chancellor: A Study of the Imperial Chancellery under Gattinara* (Cambridge, 1989).

⁷⁵ Keniston, pp. 206-207.

attention and in 1539, for the first time, he did not accompany Charles on his journey to Flanders. Cobos had recourse to the Spanish nobility for loans and the creation of new positions to be sold. But Charles's financial difficulties were reaching a crisis with little security left for the bankers' loans. The crisis was to intensify with the new wars with France of 1542. This will be developed in Chapters Four and Five on Cobos and finance.

The historiography on Cobos is heavily reliant on Keniston's research. It may be difficult to produce new evidence to verify or qualify all of his conclusions. Nevertheless, a different perspective or interpretation should facilitate a deeper understanding of the importance of Cobos's role in Charles V's empire, and so perhaps throw some new light on Charles himself, through the mutuality of their relationship. The discussion will follow various themes determined by revelations from the archival records and the assessment of their importance.

The thesis will create a better foundation in order to reveal (to the extent that this is possible) Cobos's character. It is necessary to understand his thirst for prestige and social advancement. Was it just the normal craving of his contemporaries for property rights – the need to create estates, *señoríos*, and *mayorazgos* (perpetual entailments) to ensure immortality? The thesis will provide context by examining Cobos's relationship with some of these important institutions and their medieval origins. Attaining the title of *Comendador Mayor* in the Military Order of

Santiago was an important step for Cobos. L. P. Wright's unpublished thesis of 1970, and many other scholars, have provided original research on these medieval Orders.⁷⁶ This thesis, in Chapter Two, will only discuss the Military Order's social and political importance in order to provide context for Cobos's rise. Similarly, Chapter Two will cover the roles of *mayorazgos*, and the significance of *señoríos* for Cobos's purpose. Cobos's struggle to acquire the *Adelantamiento* of Cazorla, a feudal *señorío* near Úbeda, was of particular importance to his founding of a dynasty. On the surface, Cobos's entire life seems to have been based on achieving all of these goals.

Scholars refer to Cobos obliquely, recognising his importance, but seeming to defer to the one scholarly work of Keniston. This remains the case at the time of writing. In a recent review of a book on the Erasmist Juan Valdés - referring to Valdés and Cobos, for whom Valdés worked - the writer notes with surprise that there is only one fifty year old biography on Cobos and that 'his extraordinary career demands better.'⁷⁷

⁷⁶ L. P. Wright, 'The Military Orders in Habsburg Spain,' PhD, Cambridge, 1970.

⁷⁷ R. Mackay, review of D. Crews, *Twilight and the Renaissance, Sixteenth Century Journal XL*, (2009), pp. 769-779.

Chapter Two

Social Ascent and Political Power

Francisco de los Cobos controlled an immense pyramid of honours and privileges as evidenced by the flow of solicitous requests one can view in the rich fund of manuscripts at the *Biblioteca Nacional* in Madrid and in the archives at Simancas on *Mercedes y Privilegios*. Although such 'privileges' belonged to the emperor, part of Cobos's skill was to make them appear to be within his 'gift'. Keniston, his only biographer, has said that:

By 1510 Cobos had charge of recording all royal grants and favours ... in 1516 Chièvres, the Grand Chancellor to Charles V, extended Cobos's responsibility to the task of keeping the record of all royal receipts and expenditures.⁷⁸

The *Contaduría Mayor de Hacienda* was not set-up until 1554, so until then there was no established means to resolve disputes in the administration concerning the collection and payment of royal taxes. Thus there was no institutional 'checks and balances' on Cobos's power.

In examining his political career this thesis will seek to explain how he transformed the trust and confidence of Charles V into political power. To understand his ascent one must examine the importance and enduring nature of the medieval seignorial institutions — land and vassals — which lay beneath the social fabric. These were the foundations on

⁷⁸ Keniston, p. 332.

which political power was based. Early attempts by Charles to share the spoils of this system among his Burgundian followers ran into the hostility of the Spanish nobility and the revolt of the towns — the *comuneros*. The diverse power-centres in Spain had to be accommodated if their loyalty was to be assured.

There was little if any discontinuity between medieval and early modern institutions. Continuity of institutional structures and thinking about institutions seems to have been unremitting with an inter-play between ideas of one time and those of another. Nobles enjoyed considerable economic benefits in terms of patrimony and incomes associated with their privileged juridical status. New entrants to the seignorage, through royal grants — or increasingly through sales of alienated property during Charles V's reign — reinforced the socio-economic power of this institution. Participation in the administration and high councils of government — often as rewards for their services to the king — further strengthened the powers of the nobility. Thus privileged status and political power reinforced their wealth. Co-mingling of public and private persona was the norm of the period.

Cobos strove to be a part of these structures and was possibly more interested in these continuities than the social, religious, and intellectual debates of the times. This is what his critics miss when they accuse him of a lack of intellectual interest. His interests were in the ancient institutions of *señoríos* (feudal domains), Military Orders,

and *Adelantados* (governors or margraves) of the frontier regions of Reconquest as a source of political power. These structures represented the means for upward mobility for *hidalgos* (nobles) like Cobos. He sought as a first requisite a title in the Military Order of Santiago, then a *señorial* town and territory, and finally a *mayorazgo* (entailment) to contain his wealth for his future lineage. These were his aspirations.

His lineage was only incorporated into the *gran nobleza* through his son and daughter: the ultimate crowning of his career. The clauses in his many *mercedes y privilegios* (gifts and rewards) — literally an 'act of royal grace' received from the emperor — provided *dominio* 'para vuestros herederos y sucesores' (domain for your heirs and successors). Thus the nature of his ambition was to found and to finance a perpetual lineage. For this he had to operate within these ancient institutions, and sometimes help to transform or selectively adapt them if this could be used to advance his interests, and those of family and friends. At the same time they had to be used to finance his emperor's dynastic policies and reward supporters.

But Cobos would have seen no conflict between the interests of his master and his own. Although typical of the 'hombres criados de la pluma' (powerful servants of the pen) needed to administer the growing bureaucracy, he was unique in his understanding of his royal master. The Venetian Ambassador, Bernardo Navagero, wrote in 1546 that Cobos:

Knows the nature of Caesar and the time to obtain everything from him; he never refuses anything he asks for. When he is with the emperor, everything goes through his hands, and when the emperor is absent, in all important matters he is the ruler through the Council and his own judgment.⁷⁹

He shared Charles V's views in dealing with the *señorial* institutions. When it was in Charles's patrimonial and dynastic interest, and Cobos's family interest, for reasons of legitimacy they both proceeded through canon law. For example, papal sanction or bulls were issued for the appropriation of the lands of the Military Orders and for Cobos's acquisition of the Cazorla *Adelantamiento* (frontier territory) from the archbishopric of Toledo.

Cobos's advancement came through his understanding and use of the institutional forces of continuity. He used the reward system embedded in these institutions as a means to increase his power and personal enrichment, with the money serving to support his status and to maintain the titles. He may have modelled his reach for special status on Columbus's *Capitulaciones*, contract and title, with the Catholic Kings, which gave perpetual and hereditary rights for all discoveries. But Cobos had complex and conflicting goals. His paradox was to serve the power of the Crown while balancing the forces of 'exemption, privilege and *fuero*,' which had led to multiple centres of power — with administration being 'franchised' to territories.

⁷⁹ E. Albèri, *Relazioni degli ambasciatori veneti al Senato*, 14 vols (Florence, 1839-1855), I, pp. 344-345.

Charles was monarch of a 'composite state,' an amalgam of separate polities – each with its own laws and institutions – that owed allegiance to a single ruler, loosely held together by dynastic arrangements.⁸⁰ The empire encompassed many competing identities, both local and regional. Such a structure inhibited the ideas of the Grand Chancellor, Gattinara, for a strong, centralised, unitary state. Cobos's genius was in understanding how a centralised royal bureaucracy could co-exist with so many local and provincial identities and institutions. Cobos encouraged patronage of such separate centres of power, although this inevitably weakened Charles V's resources for warfare and thus his dynastic ambitions. It is unlikely that Cobos saw this as a contradiction, but he may have represented a nemesis of the system through his exuberant use of its inherent contradictions – expanding alienation of Crown lands, which the Catholic Kings had so laboriously tried to retrieve in their reforms of the 1480s.

This chapter examines his use of the Military Orders as a first step to achieve the necessary *hidalguía* for his career advancement. Rewards would be given in proportion to the importance of one's lineage, so Cobos had to build a secure foundation of status to ensure a flow of *mercedes* and privileges. He moved from an *hábito* (monk's cloak worn as an insignia) in the Order of Santiago in 1519 – which the Catholic Kings had decreed could only be conceded to

⁸⁰ John H. Elliott, 'Composite States,' *Past and Present*, 137 (1992), pp. 48-71.

'personas que sean hijosdalgo y prendan caballos' (people who are sons of importance and own horses) – to *Comendador Mayor* in 1530, the highest rank in the Order.⁸¹ In the process of advancing in the Order of Santiago, Cobos expropriated the patrimony of the Orders to finance Charles's wars and repay bankers' loans, which had purchased the imperial throne.

The nature of the inquiry into ancestry, prior to obtaining an *hábito*, was at this time less rigorous than the later need for inquiry into generations of bloodline. Prior to 'incorporation' into the monarchy, the *Maestro* (master), as supreme head of the Order, could grant an *hábito* on his own without reference to the Council of the Order and without 'proofs.' In addition, in Cobos's time there was no parish register of births and marriages. Thus fabrication of genealogies could transform *conversos* into Old Christians of impeccable ancestry.

Although already well studied by historians, some description of the *señorial* system will be necessary to establish how Cobos used the system to achieve some independent jurisdiction. This will lead to an analysis of the circumstances of his ultimate prize: obtaining a papal bull to allow him to acquire the *Adelantamiento* of Cazorla from the archbishopric of Toledo. This involved him and his family in a long battle with the Church, which is well documented in the archival records of the cathedral chapter in Toledo.

⁸¹ Juan Fernández de la Gama, *Copilación de los establecimientos dela orden dela cavalleria de santiago del espada*, (Seville, 1503).

The thesis will demonstrate the chronological steps by which Cobos progressed, with reference to the archives on these different institutions, showing that each move mutually reinforced his political and social stature. This is different from Keniston's approach. His biography shows Cobos at the centre of a network of wealth and patronage, with no contextual reference to the uses of power, the events of the time, or the nature of his relationship with Charles V. Keniston depicts Cobos as uninterested in events and policies and only concerned with his privileges and network of patronage. The thesis will build the case for Cobos's involvement in policy and his exercise of power through society's traditional institutions.

Cobos and the Military Orders

The Spanish Military Orders of Santiago, Calatrava and Alcántara had been founded in the twelfth century to aid in the struggles with the Moors. They also acted as colonizers of newly acquired territories and were awarded jurisdictional rights in these lands, which encompassed huge frontier areas in New Castile, including the *maestrazgos* or fiefdoms of the masters of each Order. A papal bull of 1523, issued by Adrian VI — previously a tutor to Charles — incorporated the Military Orders in the Crown and established a Council of the Orders as a department of state. They continued to be attractive to the nobility as a source of income, patronage and prestige.

When Charles was in Italy in 1529 to receive from the pope the imperial Crown, further bulls were issued by Clement VII to provide, by apostolic authority, a legal basis for the disentanglement of the property, vassals and incomes of the Military Orders.⁸² The Orders received *juros* – a form of annuity or bond – secured against royal revenues in compensation, a procedure, which will be examined in the chapters on finance. This cleared the way for a gradual sell-off to finance the emperor's wars. The process was measured, responding to the emperor's needs and the various wars with Francis I.

Prior to sale, Cobos sent out questionnaires to value the estates, based on acreage, number of vassals, and rights and income of the *señor*. Documents in Simancas show reports on numerous estates of the Military Orders and an enquiry into potential buyers to establish possible values.⁸³ This large bundle of documents tells us much about Cobos's involvement in the details. Various inventories of manuscripts in Simancas, such as *serie 389, Mercedes y Privilegios, de la Escribanía de rentas*, help to define the nature of Cobos's monumental task. The process created numerous disputes on title, legality of incomes, territorial limits, and extent of powers over vassals. These reports were later broadened by Philip II into every village, county and estate in Spain according to tenure by *señoríos*, value

⁸² Madrid, *Archivo Histórico Nacional*, legs. 4365, 24581, 32311, no. 2, memorial, f. 13, *Ordenes Militares y Consejos Suprimidos*.

⁸³ AGS, Div. Cast. Legs. 47, 31.

and resources. This formed a Spanish version of William's Domesday Book, surveying England in the 11th century.

Some properties were acquired by old nobility, such as the Mendoza's purchase of the Order of Calatrava's ancient rights in Alcarria, (Guadalajara province), in part to round-out and extend existing estates. Many seized the opportunity to buy property contiguous to their estates. Ruy Gómez da Silva, Prince Philip's favourite, was also a beneficiary from the sales of Calatrava property, particularly the town of Pastrana, also in Guadalajara. Others were sold to Genoese and German bankers, rising *letrados* and, particularly, to secretaries and councillors of the administration. Documents at Simancas show how Cobos was the prime force behind the disentanglement and also a major beneficiary.⁸⁴ Evidence of this is also available in the *Archivo General de Andalucía*.⁸⁵ For example, in his home province of Jaen he bought land, towns and vassals, which formerly belonged to the Order of Calatrava. He became *señor de Sabiote* from such a purchase and converted the castle of Sabiote, near Úbeda, into a Renaissance palace. Charles V's military engineers strengthened the fortifications with the interior designed by Andrés de Vandelvira and sculptures by a Frenchman, Esteban Jamete — who also worked on Cobos's magnificent chapel of El Salvador in Úbeda. A visitor to Sabiote would see that in the maincourt there is a large coat-of-arms of Cobos and his wife María de Molina,

⁸⁴ AGS, E leg. 24, f. 5.

⁸⁵ Archivo General de Andalucía, microfilm no. 463.093-104.

entwining the Mendoza crest with Cobos's heraldry on the left.⁸⁶ The castle was abandoned by the Camarasas – Cobos's descendants. From the mid-twentieth century it formed part of the patrimony of the *Casa Ducal de Medinaceli* – through marriage with a Camarasa. For Cobos, as for other of the rising secretaries, disentitlement and purchase of *señoríos* represented an opportunity of social advancement based on ancient *señorial* domain and the possession of towns, vassals and castles belonging to such domain. With rising land values it also represented a source of enrichment. For Cobos, Sabiote gave him title and rights, vassals and income independent of the emperor.

In his unpublished doctoral thesis, L. P. Wright has shown that the Military Orders adapted after disentitlement. They served, through their process of inquiry on new members' origins, as a means to 'authenticate noble ancestry' and thus they reinforced concepts of honour and chivalry tied to the *hábito*.⁸⁷ Wright calls them 'anachronistic institutions, embodying social concepts and the society which they mirrored which were equally anachronistic.'⁸⁸ But the 'social concepts' were a reality of the time and Cobos needed their 'authentication' and the resulting status to legitimise his social position. As a first step Cobos received his *hábito* of the Order of Santiago in 1519 and became a *Comendador Mayor* in 1530.

⁸⁶ I visited Sabiote in the winter of 2006.

⁸⁷ L. P. Wright, 'The Military Orders in Habsburg Spain,' PhD, Cambridge, 1970.

⁸⁸ *Ibid.*, p. 326.

Wright's research, partially published in 1969, showed a sudden increase in the number of *hábitos* sold for loans to the treasury during this time.⁸⁹ Perhaps Cobos was widening his network of reciprocal obligations and had found new ways to finance his master's ambitions and war needs. He was following in the tradition of previous royal secretaries, such as Juan Pacheco, who inflated honours to meet his master's needs in the early 15th century – Pacheco was also a master of the Order of Santiago, although descended from a well-known *converso* family.

Cobos's need for verification of *hidalguía* may have been no more than that of other aspiring administrators who had a thirst for prestige and social acceptance. But his particular need may relate to a possible *converso* or 'New Christian' background, which could explain his motivation and secretiveness. Keniston states that Cobos was welcome in the new Flemish court of Charles because he was not a *converso*.⁹⁰ But the distinguished French historian, Marcel Bataillon, wrote, in a review of a book on the *converso* Doctor Andrés Laguna's travels and writings on botanic medicines, that:

Laguna en 1535 soit aller chercher fortune auprès du puissant ministre Francisco de los Cobos, *cristiano nuevo*, quand Charles V séjournait en Italie (Laguna in 1535, when the emperor was in Italy, sought his fortune

⁸⁹ L. P. Wright, 'The Military Orders in Sixteenth and Seventeenth Century Spanish Society,' *Past and Present*, 43 (1969), pp. 34-70. Wright states figures on p. 55 derived from AHN, Vignau and Uhagon, *Caballeros de Santiago*.

⁹⁰ Keniston, p. 25.

alongside the powerful minister, Francisco de los Cobos, a 'new Christian').⁹¹

He also ties Laguna to Gonzalo Pérez and Cobos as fellow *conversos*. We know that Pérez worked with Cobos and from ecclesiastical lists in Segovia we know that Pérez was a *converso*. All this is circumstantial and neither Keniston nor Bataillon source their evidence. Unfortunately, Cobos's *expediente* of proofs for membership of the Order of Santiago is missing from the National Archives. This is a serious omission as we cannot follow the 'proofs' of his lineage in an authenticated document. Vignau writes that:

no extrañara a nadie la falta o desaparación de algunos procesos correspondientes a personas que figuren en el Indice (no one should be surprised by the disappearance or absence of some procedures for individuals who appear in the Index).⁹²

Time and events have destroyed many documents.

The genealogical references to the Cobos family connect him to the Molinas in the conquest of Úbeda in 1234 and the subsequent *repartimiento* (sharing) of lands and captives among the *hijosdalgo*. The protocols in the town hall at Úbeda mention Lópe Rodríguez de los Cobos as *Alférez del pendón* (Sheriff of the pendant) in one of the battles for Úbeda. Later Leonor González de los Cobos married into the Molina family, so merging the family trees. Juan Vázquez de

⁹¹ M. Bataillon, 'Les Nouveaux Chrétiens de Ségovie en 1510,' *Bulletin Hispanique* (1956), pp. 207-216.

⁹² Vicente Vignau y Francisco de Uhagon, *Indice de pruebas de los caballeros que han vestido el hábito de Santiago desde 1501 hasta la fecha* (Madrid, 1901), p. 25.

Molina, nephew and ally to Francisco de los Cobos, was of this line as well as being secretary to Charles V. Catalina de Molina was Francisco's mother. The Molinas were invariably the more important family in Úbeda. Cobos may have aspired to emulate them and raise his family pedigree. His ancestors' lineage did not contain a *señorío*, but a small *solar* (landholding) near Burgos, as vassals of another family. Such families in the 13th century intermarried and, according to Domínguez Ortiz, formed *cofradías militares* (military brotherhoods) to keep themselves separate from the conquered populations and maintain their noble lineage.⁹³ This was possibly the origin of 'blood tests.' The Cobos-Molina connection is shown in Cobos's Family Tree in Appendix One.

Argote de Molina, a native of Jaén province, which includes Úbeda, was, in the 1560s, given special access by Philip II to family records held by municipalities, most of which no longer exist. Juan Vázquez de Molina, a relative, signed the royal permissions for this research. Argote de Molina's resulting *Nobleza de Andalucía* is a history of the families of Jaén.⁹⁴ The genealogy of the Molina and Cobos families is traced back to the conquest of Úbeda. Argote de Molina names some of Cobos's ancestors and writes that they were among the 'principal linajes de Úbeda' (lineages). Charles V's chronicler, Sandoval, says:

⁹³ Antonio Domínguez Ortiz, *La Clase Social de los Conversos en Castilla en la Edad Moderna* (Granada, 1991), p. 53.

⁹⁴ Gonzálo Argote de Molina, *Nobleza de Andalucía* (Jaén, 1991), pp. 580-581.

fue Don Francisco de los Cobos de familia noble y antigua en Úbeda, donde hay un barrio que llaman de los Cobos (Francisco de los Cobos was from an old and noble family in Úbeda, where a locality is called *los Cobos*).⁹⁵

Thus, although knowledge of Cobos's bloodline is important in the context of the period, it may fall into the category of 'known unknowns,' and will never be clarified.

Señoríos (feudal domain or private lordship)

Apart from the Military Orders, Cobos had to deal with multiple centres of power deriving from other medieval institutional traditions, which involved different jurisdictions and territories. This contrasted with England, where the legal system had largely centralised royal powers, with the English kings having their own courts, which could confirm legitimate possession of land. Charles V may have had aspirations to centralise his dynastic ambitions through promotion of concepts of 'empire,' which has been widely written about, and which was to some extent supported by international canon law. But his power was based on a legacy of decentralised medieval institutions creating an agglomeration of dynastic territories beyond Castile and a web of jurisdictional differences within Castile. All this served to delay proceedings in the royal courts, through what today's US Federal legal system calls 'forum shopping.' Plaintiffs called for special treatment or exemption from prosecution in royal courts. An historian has called Castile

⁹⁵ Fray Prudencio de Sandoval, *Historia de Carlos V* (Madrid, 1922), vol. 1, libro 16, p. 892.

a 'Cretan labyrinth' of conflicting *fueros* and privileges and competing jurisdictions.⁹⁶ Customary or regional *fueros* existed and conflicted with the growing power of royal *audiencias* (tribunals).

Jurisdictional confusion was further amplified by separate legal procedures for the Military Orders and the ecclesiastical courts. The *señorial* system had been important in the repopulation of Castile during the various phases of Reconquest as a system of reward for the territorial conquest and the consequent holding of land and vassals. But it developed into a form of what Valdeavellano calls 'dominios señoriales como distritos autónomos del territorio del Estado' (*señorial* lands as autonomous and separate from the kings' jurisdiction).⁹⁷ There were different types of *señoríos*, depending on the 'plenitud de jurisdicción y competencia' (fullness of jurisdiction and competence) granted by the king. But over time, with the success of the Reconquest and need to encourage repopulation, more powers and jurisdictional autonomy were granted, thus restricting royal powers.

The *señorío* effectively acted in his lands with full royal powers, which could only be protested to the kings' courts by vassals for exceptional cause. The early *Trastámara* kings, especially Enrique II (1369-1379), had given rights of final appeal to *señoríos* in a derogation or

⁹⁶ I. A. A. Thompson, *War and Government in Habsburg Spain, 1560-1620* (London, 1976), p. 39.

⁹⁷ Luis G. de Valdeavellano, *Curso de Historia de las Instituciones Españolas, de los orígenes al final de la Edad Media* (Madrid, 1970), p. 518.

dangerous dispersal of royal justice. This diminished the royal power and patrimony and strengthened the economic and political power of the nobility. Subsequent kings (Enrique IV) did the same to retain the support of the nobility in dynastic wars.

These so-called jurisdictional *señoríos*, were important centres of power with separate jurisdictions, both civil and criminal – designated from the Roman glossaries as *merum et mixtum imperium*. This phrase, used in the *Partidas* (laws of jurisprudence) of Alfonso X, referred to the power of magistrates to punish for due cause. They could raise revenues and taxes over many forms of economic activity, and were often granted these powers in hereditary and perpetual form. They could appoint officials, judges and mayors and demand military service from their populations for their own as well as the king's hosts. They could also carry their own *pendón* (banner) in battle, something that Lope Rodríguez de los Cobos had done at the conquest of Baeza. Special rights or *fueros* had been given to encourage reconquest and repopulation of captured lands. Thus, by granting immunities, the kings had created 'autonomous and separate territories within their domains', whereby the *señor* ruled directly, not in the name of the king.⁹⁸ The higher nobility thus consolidated their economic and social power through the *señoríos* from which they received incomes from administering justice, from a multitude of transactional and

⁹⁸ Ibid.

property taxes, and rentals due them as owners of the *señoríos*.

It was not until the Catholic Kings that an effort was made to reduce these separate powers and to reincorporate some in the Crown. A corpus of royal laws, *Leyes de Toro*, regarding property and inheritance was issued by the Catholic Kings in 1505, and in 1503 the powers of the ecclesiastical courts were restricted by the *Libro de las Bulas y Pragmáticas*.⁹⁹ At the petition of the Cortes of Toledo, 1480, many of Enrique IV's territorial grants were reviewed and some annulled if insufficient service to the Crown could be proved. Further, many fewer *mercedes* were granted alienating Crown property. But the power of the local *fueros* and customs meant that Castile was still not a unified legal entity, thus imposing a limit on royal authority.

The *Maestrazgos*, or Masterships of the Military Orders, were also incorporated in the Crown under the Catholic Kings. The *Maestrazgos* of the Military Orders held vast territories in the areas of Reconquest. They had been granted *encomiendas* (territories) to protect and defend the conquered areas. But such concessions to a *Comendador* were temporary — they were *señores vitalicios* (lifetime lords) of their *encomiendas*. Cobos as a *Comendador Mayor* of the Military Order of Santiago received fees for his theoretical

⁹⁹ *Los códigos españoles concordados y anotados (CECA)*, 12 vols. (Madrid, 1872-84), VI, pp. 567-581. Earlier text of *Siete Partidas* or uniform code of laws of Alfonso X are included in vols II-IV.

protection of his territory, but with the 'incorporation' of the *Maestrazgos* in the Crown he did not have jurisdictional domain over land and vassals. The Council of the Orders had to submit most decisions, including naming of *Comendadores* to the king. By contrast holders of *señoríos* had jurisdiction of their own, received as a fief from the emperor. Thus for Cobos, acquiring a lay *señorío* became important to his goal of establishing a lineage.

Although Charles V's aim on ascending the throne of Castile had been to increase the power of the royal tribunals to ensure his control of his new inheritance, the revolt of the *comuneros* required him to meet certain of their concerns about 'customary' local justice. Tavera, President of the Council of Castile, and Cobos were appointed to key administrative posts replacing the hated Flemish. This, as seen in their exchange of letters, was to become a close working-partnership until Tavera's death.¹⁰⁰ Tavera became head of the Royal Council and archbishop of Toledo and, therefore, inevitably a rival to Cobos.

Meanwhile, the medieval legacy of the *señorial*, or system of feudal domain, was further strengthened with the disentitlement of the properties of the Church and of the Military Orders with many territories sold to lay lords. The new *señoríos* maintained the characteristics and traditional feudal rights of the *señorial* system, and indeed strengthened the system by their new political and economic

¹⁰⁰ BN, Ms 1778.

power. Of particular interest, given Cobos's involvement, was the disentitlement of the property of Cazorla from the rich and powerful archbishopric of Toledo — the primacy of Spain. This will be discussed below.

The resulting increase in the numbers of *señoríos* was used strategically by Cobos to reward his followers and provide the emperor with monies from their sale. Initially Cobos tried to withhold *alcabalas* (sales taxes) and royal *tercias* from the sales, but this reduced their value to potential buyers and was soon forgotten. The offset for all these sales was growth in the issuance of compensatory *juros* (bonds) against various sources of royal revenues, such as *alcabalas*. There is some doubt, given the costs and delays in the process, that disentitlement was an effective source of funding. It was a short-term expedient with major political consequences for the Crown's control of its realm. In this sense Cobos was almost a revolutionary in the redistribution of Castile's wealth. Disentitlement as a source of finance will be examined in Chapter Four on finances.

Many new *señoríos* held important positions as secretaries and ministers in the administration, including Cobos. The Marqués de Saltillo writes about purchases by these secretaries and the expansion by established nobility of their existing *señoríos*, seizing the opportunity of the

disentitlement.¹⁰¹ Salvador de Moxó has estimated a forty per cent expansion in *señorial* territories in the 16th century, mainly from the sale of lands of the Military Orders and the lands of the archbishopric of Toledo.¹⁰² Cobos and the emperor had worked with the pope on the legality of this measure to obtain the legal sanction of canon law through a papal bull. The financial consequences of imperial dynastic policies were pressing even at this early date in Charles's reign. Rising land values with population growth in this period made such a massive transfer of property possible and an important source of finance for Charles's dynastic wars and imperial Crown. The privileges of transfer were most specific on the stated judicial and administrative powers over the territories and villages concerned.

A sample of the formulas used in the granting of *señoríos* was examined in various archives as referenced below. The clauses in the *escrituras* of sale were relatively unchanged over the centuries. The *privilegio* of 1369 by Enrique II to García Álvarez de Toledo over the *señorío* of Oropesa is similar to that of the *Reyes Católicos* in 1492 to Diego López Pacheco, Marqués de Villena. Another example of a *privilegio* with similar clauses is contained in the *Carta de Privilegio* of Prince Philip to Pedro de Zúñiga.¹⁰³ *Dominio* was included in the *escritura de venta* resulting from forced

¹⁰¹ Marqués de Saltillo, *Historia Nobiliario Española* (Madrid, 1951), pp. 189-90, 205-06, 272-95.

¹⁰² Salvador de Moxó, *Feudalismo, señorío y nobleza en la Castilla medieval* (Madrid, 2000), pp. 212-214.

¹⁰³ AHN, Consejos, leg. 34621; AHN, Consejos, leg. 34378; AHN Consejos, leg. 27935, num. 4, ff. 25-28.

sale of lands and villages in the *encomiendas* of the Order of Santiago. The prince issued a *Carta de Privilegio* and confirmed the *carta de venta* by virtue of his full powers of Majesty and the authority of the papal bulls and *breves* regarding the disentitlement of property of the Military Orders. The new owner became:

*señor y propietario desde la hoja del monte hasta la piedra del rio, y desde la piedra del rio hasta la hoja del monte (señor and owner from the leaf of the mountain forest to the stone of the river, and from the stone of the river to the leaf of the mountain).*¹⁰⁴

As such he had full legal privileges, which would pass to his heirs and successors in perpetuity, with civil and criminal jurisdiction over all the vassals, rents and taxation rights. Although some of the new owners in these transfers were mere *rentistas* and absentees, with the *señorío* only a 'prerrogativa de vanidad' (prerogative of vanity), many exercised full domain.¹⁰⁵

A final example of the form of transfer is shown in the sale clauses of an *encomienda* of the Order of Santiago.¹⁰⁶ This is particularly detailed as it was subject to litigation between the state and the Duke of Medinaceli in 1825 on the reincorporation to the Crown of *señoríos*. The memorial of incorporation contains similar clauses on the reversion of jurisdiction — civil and criminal — for taxes and income on all property in the territory, including

¹⁰⁴ AHN, leg. 27935, no. 4, ff. 25-28.

¹⁰⁵ Salvador de Moxó, 'Los Señoríos,' *Hispania*, 94 (1964), p. 236 and in documentary appendix pp. 399-430.

¹⁰⁶ AHN, Consejos, leg. 32311, f. 2.

castles. When Philip became king, he accelerated the process of disentitlement of ecclesiastical property, particularly of the primacy of Toledo. He, like Charles V, ensured that he proceeded with papal support, and the various popes were obliging, citing Charles and Philip's contribution to Christianity. This process was long and costly, and Toledo litigated fiercely, as we shall see below in connection with the Camarasa versus Toledo suit.

Thus obtaining such a *señorío* was an important step for Cobos. His objective was to ensure that he held a *señorío patrimonial de su linaje* (a hereditary *señorío* for his family) following the form set out in Prince Philip's *Carta de Privilegio* mentioned above. After the rights of *señorío* had been confirmed, sometimes *carta-pueblas* would be entered into between the *señor* and his vassals to encourage further repopulation of the towns under his jurisdiction, which could increase the value of the *señorío*, often determined by the number of inhabitants providing additional taxes and labour services. Sometimes *cédulas* (royal documents) would be issued by the kings granting jurisdiction and 'rights', with much detail. Prior to the Catholic Kings such *cédulas* even derogated the kings' powers of final appeal, '*en la manera que Nos Mismo los pudiéramos hacer y poner*' (in the manner that We Ourselves could establish).¹⁰⁷ It was not until the *Cortes* of Cádiz in 1811 that such jurisdictional *señoríos* were abolished. Such independent power-centres

¹⁰⁷ AHN, Consejos, leg. 34621.

fragmented and dispersed royal powers of justice and revenues and would be a continual problem for Charles V and Cobos. The expansion of this system of lordship increased the economic power of the nobility and made it difficult for the various *audiencias* (royal courts) through *visitas* (official investigations) to challenge the jurisdictional and tax raising powers of these *señoríos*.

Although Cobos was keen to enjoy the revenues and jurisdiction of his *señorío* (*exención, privilegio y fuero*) this conflicted with the need to strengthen royal power — though not in the sense of nation-state powers — to meet the financial needs for the patrimonial and dynastic priorities of Charles V. Cobos was a servant of Charles but had to balance the different regions and different powers within Spain, as Charles did within his many different kingdoms — an early example of 'composite monarchies.' Also Charles, while rewarding a 'faithful servant,' was aware of the possibility of a *señorío* for Cobos making him too independent. Thus he was always balancing rewards with strings — while upwardly mobile, Cobos would never gain a title of grand nobility. The research on Cobos shows that Charles was much more calculating in his approach to people and administration than his faith-based ideology would suggest.

Adelantamiento de Cazorla

There is substantial archival material in Toledo — in the *Repertorio del Archivo Capitular de Toledo*, which lists

the contents of the archive on the *Adelantamiento* of Cazorla – and Madrid on the subject of litigation between Cobos's heirs and the archbishops of Toledo – Camarasa versus Toledo. We are thus able to follow how Cobos used such institutions and the people involved to advance his status. The *Adelantado* of Cazorla was important to Cobos, not just for the magisterial powers and income granted, but because of the associated patrimonial privileges such as right to erect castles, exemption from taxes and transmission of the office to his heirs. Litigation was a catalyst for record keeping with written documents and 'proofs' required for justice as a fundamental part of the process.

The struggle for control of the *Adelantamiento* of Cazorla is one of few areas relating to Cobos that is rich in documentary sources. Apart from Toledo cathedral, material was consulted at Simancas, the *Archivo Histórico Nacional*, the *Biblioteca Nacional*, the Camarasa archive at the *Hospital de Tavera* in Toledo, the municipal protocol archives in Úbeda, (which have consolidated the local archives from Cobos's townships within Cazorla), and the Granada Chancery archives at the *Audiencia* of Granada which had jurisdiction over litigation on Cazorla. A former 'canon-archivist' of the Toledo cathedral archives has used some of these papers to narrate a history of Cazorla, both as a region and as the institution – *Adelantamiento* of Cazorla. This work was particularly helpful in demonstrating

the interpretative potential of these archives.¹⁰⁸ In addition, local histories documented in some of the municipal archives of the towns of Cazorla (especially Úbeda and Quesada) were consulted. The local histories in the *Diccionario bibliográfico-histórico* also provided useful insights.¹⁰⁹

The insistence by the *Partidas* of Alfonso X for written procedures from a *demanda* (citation) to a *sentencia* (decision) of the judges provides a permanent legal record of every stage of a legal dispute in early-modern Castile.¹¹⁰ Thus litigation records provide a treasure-trove of information. Richard Kagan began the process of studying legal records many years ago with his monograph on Castile as a litigating society.¹¹¹ He helpfully suggested that the records in the *Audiencia* of Granada had not yet been fully researched. So these were part of the inquiry as was the *Archivo de Protocolos de Granada*. Testimonials of witnesses and notarised 'proofs' to support claims filed before a magistrate to obtain judgment are some of the valuable documents available in archives. They demonstrate the dispute settlement process, and indirectly inform us about context and the personalities and institutions involved. Litigation documents name occupations, background of litigants and case histories. Finally, after a lawsuit was

¹⁰⁸ J. F. Rivera Récio, *El Adelantamiento de Cazorla* (Toledo, 1948).

¹⁰⁹ *Diccionario-bibliográfico-histórico de los antiguos reinos, provincias, villas y iglesias de España*, eds. Muñoz y Romero (Madrid, 1858.)

¹¹⁰ CECA, *Siete Partidas de Alfonso X*, (Madrid, 1872-84), vols II-IV.

¹¹¹ Richard Kagan, *Lawsuits and Litigants in Castile, 1500-1700* (Chapel Hill, N.C., 1981).

concluded, more often through an out-of-court settlement – as happens today – a *carta ejecutoria* (executive writ) was issued with a history and summary of the case. The *carta ejecutoria* of Camarasa versus Toledo, among other documents, has been consulted for the following observations.

Cazorla was a *señorío jurisdiccional* (feudal jurisdiction) but had belonged for centuries to the archbishopric of Toledo, the primate of Spain. This made it a singular, episcopal, feudal state. The episcopal archives in Toledo document its history and conflicts of ownership. Litigation occurred frequently and involved the interpretation and application of canon law in the medieval period – which had been systematised by the monk Gratian in the 12th century – with the training of judges, advocates and notaries at the universities and the need to apply regular papal judgments. Conflict between canon law and the developing civil law of Castile in the early-modern period made for more work for the law schools of the universities. Although there was a tradition – from Justinian's codification (the Digest of legal precedent) of the heritage of Roman law – of time limits on proceedings 'to prevent lawsuits becoming almost immortal and exceeding the term of human life,' this was 'honoured more in the breach.' Even though canon law and 'apostolic letters' resolved territorial borders between the towns of Cazorla this still required the intervention of the king to interpose his authority on behalf of the pope.

Within the archives of Toledo cathedral is a record of the particularly sharp dispute between the archbishopric and Cobos's inheritors — the *Marqueses de Camarasa*. The final settlement was documented in the *Memorial* of 422 folios by archbishop Sandoval y Rojas in 1604. The dispute required the gathering and copying of papers from the towns of Cazorla to provide evidence of the parties' respective rights. In the case of Toledo this resulted in the archiving of the essential proofs in the cathedral.¹¹² Manuscript 915 contains enormous bundles of documents whose purpose was to demonstrate the uninterrupted prerogatives since the 13th century of the archbishops of Toledo as titleholders of this *señorío*. Some show the exercise of jurisdictional powers by the *Adelantados de Cazorla* in their capacity as representatives of the Archbishops of Toledo, exercising jurisdiction in his name. Others show royal intervention to defend the property of the church when the see of Toledo was vacant. Apostolic and public notaries had to examine these documents to authenticate the grants based on the original *escrituras* issued by the papal curia. These *escrituras* form part of manuscript 915. Similar documents also exist in the *Archivo Histórico Nacional* in the section on *Consejos Suprimidos*. The Camarasa archive in the *Archivo Nobiliario* at the *Hospital de Tavera* in Toledo is much sparser on evidence for the Cobos family claim. It seems that with

¹¹² Archivo Catedral de Toledo, Ms 915, Sección Obra y Fábrica,.

Cobos's death, his successors did not have the same stamina for a fight as the archbishops.

Given the extensive documentation, the dispute is possibly the most important information we have in illuminating Cobos's character: in the way he acquired the *Adelantamiento*, its importance to him and what it says about his relationship with Charles V. An *Adelantado* is defined by the *Diccionario de Autoridades* as:

Aquél que está en lugar del rey para ejercer las altas funciones de justicia con caracter permanente (He who stands in place of the king to permanently carry out the highest functions of justice).

Alfonso X in his *Siete Partidas, Leyes para los Adelantados*, had ruled that when the exercise of judicial power could not be heard by the king:

It was suitable to put another in his place. And that official is called the *Adelantado* of the court because the king places him before, in his stead, to listen to complaints and to exercise the highest functions of justice ... in the exercise of his position he is above the rest and only recognises the king as his superior ... It is necessary that he be of great lineage and very loyal and wise.¹¹³

Thus for Cobos and Charles, the former was receiving recognition of *linaje* (lineage) and Charles was confirming his 'loyal servant.' Furthermore, Charles was willing to upset the most powerful ecclesiastical force in the land, the archbishopric of Toledo, in confirming Cobos as *Adelantado*. All previous *Adelantados* had been representatives of the archbishops of Toledo and Cobos was

¹¹³ CECA, *Siete Partidas*, vols II-IV.

inserting himself and his family (*en perpetuo*) into a territory that had belonged to Toledo since 1231. This would indeed prove to be overreaching hubris.

Cazorla was conquered after the battle of Las Navas de Tolosa, and Fernando el Santo (1217-1252) granted a *privilegio* in 1231 to Rodrigo Jiménez de Rada, archbishop of Toledo and *generalísimo de Castilla*. The nature of this document defined the subsequent conflict between Cobos and Toledo and therefore bears an abbreviated recital.

This privilege is perpetual to Rodrigo the archbishop of Toledo. To him and his successors I give the towns of Quesada and Toya and all the villages, mountains, springs, pastures, vines and fertile and infertile land. You and your successors have this irrevocably and this my *escritura* will be valid for all time. If anyone tries to infringe or diminish this document he will incur the full wrath of an omnipotent God and pay to the royal treasury a penalty of a thousand pieces of gold.¹¹⁴

The document is signed by Fernando, the royal *infantes*, *prelados*, y *caballeros* of the curia real. Armed with this document of privilege Rodrigo conquered Cazorla and the named towns. Toledo had held Cazorla ever since until Cobos's assault. He and, by association, Charles V were going against the expressed edict of the revered Fernando el Santo.

Documentary evidence seems to indicate that this was part of Charles and Cobos's strategy to alienate ecclesiastical property. Cobos was a willing beneficiary as part of Charles's campaign to centralise power in the royal

¹¹⁴ Archivo Catedral de Toledo, X, 9.1.2.

courts and to raise finance for his many dynastic ambitions. It certainly does not appear that Charles was simply rewarding a loyal servant.

Although Cobos was not a *letrado* — in the sense of having formally studied law and Latin at the universities — he probably had a good understanding of the procedures and legal reasoning of civil and canon law to be prepared to litigate. *Letrados*, although rising in power in the administration, were low in social status — often disparagingly referred to as *señores togados* (robed lords) by the higher nobility. Lineage was considered as more important than ambition and merit in the king's service. *Letrados* were, therefore, not a category for the socially ambitious Cobos.

On the death of Archbishop Fonseca, in 1534, the emperor seems to have begun his campaign against Toledo's prerogatives. He issued *cédulas* to the administrators of the *Adelantamiento* for them to continue in their posts during the interregnum of archbishops and 'to act in our name to administer justice and guard the fortresses until we decide otherwise.' This breached the prerogative of the *Cabildo* (governing body) of Toledo in the absence of an archbishop. However, this right to appoint and sell offices was to become an important part of royal revenues and Cobos probably orchestrated Charles's action.

The emperor contended that granting general jurisdiction over a *señorío* to a new lord did not give the

lord power to create and grant offices.¹¹⁵ The right to appoint officers in the *señorío* was increasingly separated and dependent on the issuance of a *carta de privilegio*. Tavera, President of the Royal Council, 1524-39, was also named archbishop of Toledo, 1534-45. It is probable that he was part of the strategy to secularize ecclesiastical properties. Although acquiescing in the emperor's wishes to nominate Cobos to Cazorla - Cobos had also supported him for the primacy - there is some doubt about his complicity in the papal bull granting perpetual rights to Cobos's lineage. Some sources indicate that he never saw the final bull. It is also stated that the *Cabildo de Toledo*, which was in charge of the *Adelantamiento* during an interregnum on the death of Tavera in 1545, was uninformed.

Charles's and Cobos's policy both rewarded supporters and provided finance for Charles's dynastic wars, much like Henry VIII of England's 'stripping of the altars.' Henry's break with Rome included the closing of faculties of canon law at Oxford and Cambridge as well as the dissolution of monasteries. But Charles, unlike Henry, was able to use canon law - the first international law - to achieve and legitimise his financial aims and to weaken Toledo's control of lands and revenues. The various popes issued bulls endorsing his policies on secularisation of church property. They continued to do this for Philip II. Cobos, through his papal diplomacy, was more effective in this instance than

¹¹⁵ J. M. March, *Niñez y Juventud de Felipe II*, 2 vols (Madrid, 1942), II, pp. 68-79.

Henry's henchman, Thomas Cromwell. Cobos and Cromwell offer interesting comparisons and contrasts for further study.

Tavera was named archbishop of Toledo in 1534 with Cobos's strong support. The documents in Toledo and correspondence between Cobos and Talavera indicate that this was conditional on Tavera's agreement to naming Cobos the new *Adelantado*.¹¹⁶ The papers in the Toledo archive show Tavera naming Cobos in 1534 as *Adelantado de Cazorla*:

La concesion hecha sin restricciones de ningún género, tanto en lo que al aprovechamiento de frutos y rentas, como la administración de justicia (granted without any restrictions, in as much as benefiting from incomes, as well as the administration of justice).

Charles V confirmed and Pope Paul III issued a bull.¹¹⁷ The emperor also notified all officials in Cazorla of the archbishop's nomination of Cobos and asked them to give up their staffs of justice to Cobos. Cobos immediately began placing his people and family in the *Adelantamiento* – for example the former mayor of Úbeda, Rivas. This was of course his style of administration and loyalty and patronage to family came before the needs of the towns in Cazorla. It was also the way he used such institutions for enrichment, status and power. Tavera and the archbishopric may have seen it otherwise. Cobos then insisted with Tavera that his son, Diego, be named *Adelantado*. Tavera protested, but agreed in February 1535, and Pope Paul III issued a bull in May. The emperor confirmed Diego's appointment by a *cédula* dated 28

¹¹⁶ Archivo Catedral de Toledo, Obra y Fabrica, Ms 915; BN, Ms 1778.

¹¹⁷ Ibid.

May 1535.¹¹⁸ Tavera may have been afraid of Cobos's power with the emperor and possible retribution for trying to thwart Cobos's objective.

Tavera and Cobos had been together on the Royal Council since 1522, when they were appointed by Charles after the revolt of the *comuneros* to replace the hated Flemish advisors. Correspondence between Tavera and Cobos shows friendly relations. Tavera gave news on Cobos's family while on a visit to Úbeda, and congratulated him on his *Comendador Mayor* in 1529. Cobos was friendly in return.¹¹⁹ Then in 1543 Cobos turns against Tavera in his letter to Charles:

El cardenal presidente Tavera solicita apoderarse de todo el amor de el Rey mi señor poniendo para ello medios que no son mui honrados (The cardinal president Tavera wishes to take all the love of the king my master, by using methods that are not very honourable).

He implies that Tavera is working for private gain. He does this after Tavera has delivered Cazorla to him and when perhaps he is no longer useful.¹²⁰

Another area of conflict was caused by Charles delegating the work of royal patronage to Tavera, as president of the Royal Council, to prepare short-lists of candidates or *consultas de oficios* for the emperor's decision. Cobos had advanced in honours and dignity and more importantly was *Adelantado* of a province with judicial powers, civil and criminal. Perhaps, he thought, that there

¹¹⁸ RAH, Salazar y Castro, M-189, 347-351.

¹¹⁹ BN, Ms 1778.

¹²⁰ BN, Ms 10300.

finally would be some independence from his emperor. Perhaps he had looked at the *Capitulaciones* of Santa Fe documenting the agreement reached between Columbus and the Catholic Kings in 1492 stating the rewards and title to be received: *Almirante y Adelantado Mayor de las Indias*. The immunities and privileges were of a breath-taking scale that Cobos would admire.¹²¹ Cobos then tried to get the title declared perpetual, as with the original grant to Columbus by Fernando. As this accorded with royal policy to acquire Church property Charles endorsed the request and wrote to his ambassador in Rome, 25 July 1537, to seek papal agreement to:

Concesión, asignación, extensión, y ampliación del dicho oficio del Adelantado de Cazorla con todos sus derechos, rentas, jurisdicción, y preeminencias para los dichos Don Francisco y Don Diego de los Cobos, su hijo y sus herederos y descendientes perpetuamente (Concession, assignment and extension of the said title of *Adelantado* of Cazorla with all its rights, revenues, and jurisdiction, for the said Francisco de los Cobos and Diego de los Cobos, his son and his heirs and descendants perpetually).¹²²

Thus Charles was following the form of the original *privilegio* as closely as possible, perhaps to avoid anticipated challenges from the church, as he acknowledges, 'si bien la provisión del adelantado correspondía al arzobispo de Toledo' (although the provision of the *Adelantado* is within the gift of the archbishop of Toledo). The pope initially granted a *título de infeudación perpetua*

¹²¹ Cristóbal Colón, *Derechos de Descubrimiento*, *Apelación Final de Cristóbal Colón al Rey Fernando* (John Carter Brown Library's Spanish Codex 1 (1505).

¹²² Archivo Catedral de Toledo, Memorial, leg. 226-227.

(perpetual feudal title), with the archbishop of Toledo to receive a payment each year as the 'feudal overlord.' But by a bull of December 1539 the pope amended the preceding bull to declare it free of a feudal obligation to Toledo; it became a *gracia bajo censo* (a grace free of rent). This was given force of a *privilegio* and *gracia real* by the emperor on 25 January 1541. Charles and Cobos had succeeded in removing juridical power from a powerful episcopal *señorío*.

On Tavera's death in 1545, Prince Philip, as regent, was pressed by Cobos to inform the *Cabildo* of Toledo that the *Adelantado de Cazorla* did not belong to Toledo as a papal bull had given it to the *Comendador Mayor* and his son. Perhaps Tavera had not made this clear to his diocese, but Charles then felt it necessary to write to the pope (possibly at Cobos's request) recommending Cobos's petition to clarify certain aspects of the previous bulls to perfect the title.¹²³ A new bull was therefore issued on 9 June 1546. Its purpose was to remove 'defects of form,' (as possibly Tavera had not been informed of the perpetual nature of the title) and to ensure the whole see of Toledo was informed that the *Adelantado* was now a *donación regia* (royal gift). The care over 'form' was very characteristic of Cobos's style. The emperor's close involvement, as shown by the documents, indicates the importance of the issue as part of his strategy to weaken the Church's patrimonial domain.¹²⁴

¹²³ Ibid., leg. 223.

¹²⁴ Ibid., legs. 44-53.

The pope may seem to have been issuing these bulls to resolve a dispute between the Church and a secular authority. Often this was done by reference to the sacred authority of canon law, taking Innocent IV's (1243-1254) commentary on the decretals as the basis for interpretation, as recorded by the monk Gratian. But it is clear that in the case of Cazorla he was responding to the political situation and Charles V's overwhelming secular power. Previous bulls also indicate a pope's wish – in this case Clement VII – to accommodate 'Nuestro amado hijo Francisco de los Cobos' (Our beloved son, Francisco de los Cobos). His *breve* of 8 January 1530, issued during Charles V's coronation at Bologna, had given Cobos and a large named-list of friends and relatives special indulgences, privileges and honours.¹²⁵ Cazorla was a singular, feudal state, even at this late stage. Its prerogatives, powers and rights had been subject to legal battles for centuries.

Documents in the *Archivo Catedral de Toledo* show the importance of canon law in medieval litigation over this feudal territory.¹²⁶ Often disputes were resolved by 'apostolic letters,' with borders confirmed by the pope and accepted by litigants. This is the background to the titanic feud between Cobos, his heirs and Juan Martínez Silíceo, Archbishop of Toledo, 1546-57. The nature of this feud is so important that quotations will be used extensively from some of these documents.

¹²⁵ BN, Ms. 1570, f. 41.

¹²⁶ Archivo de la Catedral de Toledo, Obra y Fabrica, Ms 915.

Silíceo, who became archbishop in 1546, had been tutor and then *Capellán Mayor* (chaplain) to Prince Philip and was often consulted by Charles on the progress of his son.¹²⁷ In his new position as primate of Spain, he seems to have felt he could influence the emperor. Almost immediately on his elevation, at sixty years of age, he tackled the issue of Cazorla, determined to vindicate the 'rights' of the Church. He also imposed a 'statute' of *limpieza* on the *Cabildo* of Toledo in the same year, as he felt that too many *conversos* held posts in the cathedral. This 'statute' was confirmed by Pope Paul IV and some chaplains had to leave the country. J. M. March researched Toledo's archives for his book *Niñez y Juventud de Felipe II*, including Silíceo's papers. He believed 'it is undeniable that Silíceo had great intellectual gifts' and lists the abstracts of his books on philosophy and arithmetic.¹²⁸ His character:

Was always fundamentally good, although severe and rigid in his forms ... once invested with the dignity of the Primacy he was imbued with great authority, jealous of the rights of the Church, as he understood them. He showed tenacity and strength in defending the rigorous statute of purity of blood.¹²⁹

In dealing with what he saw as the injustice, 'contra los derechos de la iglesia de Toledo' (against the rights of the Church of Toledo) based on false information given to the previous Pope Paul III, Silíceo first had to consider

¹²⁷ J. M. March, *Niñez y Juventud de Felipe II*, 2 vols (Madrid, 1942), II, pp. 68-79.

¹²⁸ Ibid., II, pp. 58-61.

¹²⁹ March, II, pp. 58-59.

Cobos's complaints to the emperor. Cobos had said that Silíceo was:

Stubborn and keen on innovations and departed from what had already been determined by apostolic and imperial decisions and also approved by his own *Cabildo* (Toledo's governing body).¹³⁰

Charles followed this line in a letter to Silíceo saying:

Although some complaints have been written to me about you and your innovations, my satisfaction with you is so much that I do not believe that your rivalry will be motivated by vengeance. You will do me service by not bothering the marquis (Cobos's heir) or the *Comendador Mayor* over Cazorla. Leave things alone as they remain and I advise you that I am pleased about it.¹³¹

Charles also alleged that the *Cabildo de Toledo*, who acted as administrator of the *Adelantamiento* when the episcopal seat was vacant, had seen the papal bulls and obeyed them. Silíceo's replies to Charles V in 1547, setting out his case and giving a history of the church's possession of Cazorla, were therefore a daring defiance of the emperor. The documents relating to the long legal suit by Toledo against the Camarasa family are contained in a *memorial del pleito* (document of legal suit) of 422 folios in the archives of the cathedral diocese of Toledo. Silíceo's letters to the emperor are included in this document and are so important that they are extensively quoted in this

¹³⁰ Ibid., p. 63.

¹³¹ Ibid.

chapter.¹³² Much of this documentation is in Latin, but there are also separate manuscripts of the correspondence in Spanish in the *Biblioteca Nacional*.¹³³ The letters of 1547 refuse to give consent to the perpetual grant required by Cobos. He does not repeat the old formula of *obedezco pero no cumplo* (I obey but do not comply), which implied a monarch did not have full knowledge of the facts and it would be better to await more information before insisting on the royal command.¹³⁴ But he was following this traditional formula by which fulfilment of royal decrees was conditional. He insists that the emperor and pope should study all the material to correct an injustice to *Nuestra Señora*. The emperor:

Only saw the case through the views of Cobos and his supporters. He, Silíceo, has studied the case with famous *letrados* and they concur that it would be a mortal sin to consent to this perpetuity.

The letter is laden with irony against Cobos. It also reveals something of Cobos's operating style. When Silíceo was able to convince Prince Philip of the need for the papal bulls to be reviewed by the Royal Council, Cobos tried to head off the discussion by inviting members to his home, one by one, and telling them how he wanted them to vote. The prince, as regent, then signed letters drafted by Cobos, telling the *Cabildo* to obey the papal bulls. Silíceo then

¹³² Archivo Catedral de Toledo, Mem. 169-176 v., no. 23.

¹³³ BN, Ms 9175, ff. 177-184; Ms 1751, ff. 437-450.

¹³⁴ J. M. Fernández Hevía, 'El ejercicio de la formula "obedecer y no cumplir" por parte del Principado durante el siglo XVI,' *Boletín del Real Instituto de Estudios Asturianos* (Oviedo), num. 157 (2001), pp. 123-150.

calls on the 'virtue' of justice and for the emperor to allow him to proceed against Cobos in a '*pleito*' (suit) for damages against the Church; to follow the process of justice until a judgement is given. Until then neither Cobos nor his son is *Adelantado*, as:

I have not given consent and therefore Your Majesty should sequester all rents and towns until this is resolved. If Cobos thinks his cause is just, why does he not show his case to *letrados*? I am sure that Tavera would only have given the *Adelantamiento* for life, not perpetuity.

He is saying that Cazorla does not belong to a person, as it is an institution. Giving it to a person in perpetuity exceeds the limits of its faculty and power.

It is probable that Silíceo had in mind the earlier confiscations of Church property in 1533. Cobos had received the royal *cédula* confirming for himself and Diego the title of *Adelantado de Cazorla* in 1535.¹³⁵ Silíceo saw this as a continuation of a process of sequestration of church land. This letter is a reply to the emperor's wish that Silíceo agree to Cobos having Cazorla in perpetuity. But it is a puzzle why Charles did not over-rule the process of litigation begun by Silíceo. We know from the emperor's comments to his son in the 'Secret Instruction' of 6 May 1543, written when Silíceo was still Archbishop of Cartagena, that Charles harboured doubts. He writes:

We know and everyone knows that although a good man he has not been the most suitable of men for you to study.

¹³⁵ RAH, Salazar y Castro, leg. 59646, ff. 347-351.

He has desired to please you too much; you may have problems with him in the future.¹³⁶

Well, he was not trying to please his emperor and seems to have changed since becoming the Primate of all Spain. The tone of Silíceo's letter to Charles indicates a willingness to challenge Charles, but it was also a challenge to the jurisdiction of the royal courts. 1546 was the year of the Algerian expedition, and the emperor had written to Silíceo on his appointment to the archbishopric in February 1546, asking for money. Silíceo's second letter indicates his awareness of the emperor's need for the Church's riches and writes in a threatening manner, *ceteris paribus*:

Much damage will come to Your Majesty, because it is clear that the Spanish Church is rich and gives Your Majesty a large subsidy every year, which it could not if its possessions and revenues were lost; and thus I am obliged not to give consent to the perpetuity to which the *Comendador Mayor* aspires. Thus I continue to be obliged to procure that Your Majesty, together with His Holiness who has issued all the bulls relating to this perpetuity, must have them revoked.¹³⁷

Financial needs were often the basis for the emperor's actions and Charles had to be careful to ensure that the Church provided the needed funds. He seemingly had finally met a formidable adversary and Cobos was not at court – ill and shortly to die in Úbeda. The emperor's letter of 20 March 1547 sets out his concerns in reply to Cobos's letter of 25 January 1547 describing his illness ('I have been on

¹³⁶ *Corpus Documental de Carlos V*, ed. Manuel Fernández Álvarez, 5 vols (Salamanca, 1975), II, p. 114.

¹³⁷ BN, Ms 1751, ff. 437-450.

the point of death several times and cannot rise from bed').¹³⁸ Cobos's final legacy was being thwarted: his life from humble beginnings through a steady climb to near absolute power and then this devastating prospective defeat are the ingredients of classical tragedy. Silíceo's letter to Charles bluntly refused to accept a perpetual *Adelantado* for Cobos, and referred to the latter's enmity due to his (Silíceo's) withdrawing a *merced* of the staff of *alguacil mayor* (governor with civil and criminal jurisdiction) in Talavera:

A sum of little consequence to Cobos ... I replaced this position without payment, saving the 70,000 *maravedies* paid to Cobos ... It is against the law and justice to give pensions to judges.¹³⁹

This was an attack on Cobos's greed and lack of principle, portraying him as a money-grubber. It also would reflect Charles's stated belief in his 'Instruction' to his son of 4 May 1543:

To order every magistrate to administer justice honestly and not to allow himself to be corrupted by gifts ... or to accept bribes.¹⁴⁰

Cobos had written to Charles, 4 February 1544, referring scathingly to Silíceo's pursuit of a cardinal's mitre.¹⁴¹ This letter by Cobos – in which he admits '*con quién concurren algunas vezes*' (with whom I had various

¹³⁸ CDCV, II, pp. 512-515, 518-526.

¹³⁹ BN, Ms 1751.

¹⁴⁰ CDCV, II, p. 93.

¹⁴¹ BN, Osuna Collection, Ms 10300, ff. 126-127.

differences) – is in the Osuna collection in the *Biblioteca Nacional* and is an 18th century copy from the original. Caution therefore has to be used in drawing definitive conclusions from copies rather than original documents. The letter also comments on other counsellors of the emperor. Silíceo continues in his letter to the emperor that 'it is well known that Cobos has been against me for a long time.'¹⁴² Silíceo would also know that Cobos had been active in trying to remove ecclesiastics from the Royal Council. He notes with irony the *engaño* (deceit) practised on the Church by Cobos over the value offered for Cazorla of 300 ducats and one white horse per year:

Any alienation of Church property should improve the condition of the Church ... and I don't know what betterment accrues to Toledo in giving a perpetual *mayorazgo* to the *Comendador Mayor*. It is said that 300 ducats and a white horse is a betterment; I call it damage to the Church as Cazorla is worth more than 15,000 ducats in annual rent, and this only represents the *diezmos*, not including the value of vassals and fortresses ... Clearly this deceit is not the reason Your Majesty has given his consent – also a thousand horses of any other colour would be more useful than one white horse – almost any other form of perpetual *feudo* would be worth more ... If Your Majesty believes Cobos so worthy why does *Nuestra Señora* have to pay the price of his rewards; he has done nothing for the Church of Toledo.

He then warns the emperor that he is creating a servant who by obtaining the perpetual right to Cazorla will become the most powerful in the realm:

And will he be as responsive to the emperor's needs as Toledo in time of war? ... if he feels himself to be more than your *señor*? ... All this will encourage Cobos to ask

¹⁴² BN, Ms 1751.

for even more and greater *encomienda* ... To please one, why harm so many. If the Church is to lose its property this way, who in future will give to the Church? While the Church is rich and powerful it gives large subsidies to Your Majesty, it cannot do this if it loses its property and rents.

Silíceo is skilfully covering all the issues to which Charles was sensitive.

He again attacks Cobos by saying he never would have believed that:

Your Majesty would have so much love for the *Comendador Mayor* until I saw the rigour of the letter You wrote me. And although I have nothing against kings loving their inferiors and *criados* (servants), I think it much better wisdom to love in accordance with merit. Two other things for you to judge, which is better, so you can better judge the deceit. The first is that the *mercedes* that Your Majesty has received from *Nuestra Señora* weigh more than all the services of the *Comendador Mayor*. The second, the *mercedes* of *Nuestra Señora* can never be paid as they have no price. Knowing that Your Majesty loves *Nuestra Señora* more than the *Comendador Mayor* can only be shown by deeds. If, although owing nothing to the *Comendador Mayor* you give him the *Adelantamiento* that belongs to *Nuestra Señora*, it is clear that you continue to be deceived in your understanding. That you love the less-deserving more is due to false reasons acting to persuade Your Majesty to dismember the *Adelantamiento* and give it in perpetuity to the *Comendador Mayor* and his successors.

Silíceo then appealed to the new pope, Paul IV, to annul the unjust concessions, which had been granted by Pope Paul III due to 'false information.' He gathered original *escrituras*, copies were made, and the apostolic notary verified their authenticity. A manuscript was then formed and the apostolic notary from the papal curia verified the signatures. All the relevant original documents — on boundary disputes, judicial powers, privileges and tax

exemptions for populating and defending this frontier area from the original grant from Fernando el Santo to the archbishop of Toledo, Rodrigo Jiménez de Rada, and pope Gregory IX's acknowledgement of 1243 — were assembled from the towns of the *Adelantamiento* and copies made and notarised. The purpose was to demonstrate the prerogatives of the archbishops of Toledo as holders of title to the *señorío* with proofs of the exercise of jurisdictional powers over the centuries.¹⁴³

The pope supported him — as he was becoming concerned at the alienation of Church property — and issued a bull on 18 May 1556, declaring null the concession of Cazorla by Tavera to Cobos and his successors, and ordering Diego de los Cobos to restore the 'fruits' wrongly acquired.¹⁴⁴ Silíceo thus confirmed his power 'that all the bulls ... regarding this perpetuity should be revoked.' By now Cobos was dead (1547) and Diego de los Cobos, the Marqués de Camarasa, had to defend his title to Cazorla. The case was passed on appeal to the *Audiencia de Granada*. But Silíceo took the pope's bull as sufficient and assigned Cazorla to Ruy Gómez de Silva, Philip II's *privado* — a shrewd move. Diego protested that the pope did not have competence over the king's jurisdiction and the matter had to be settled by the *Audiencia* and the Royal Council.

So the litigation continued before the Chancery of Granada. This became a test of secular civil law against the

¹⁴³ Archivo Catedral de Toledo, Obra y Fábrica, Ms 915.

¹⁴⁴ BN, Ms 2440, ff. 14-17.

pope's claims of universal jurisdiction through papal tribunals. The pope issued another bull in 1559 confirming his previous decision. Owing to the new archbishop of Toledo's - Carranza - trial by the Inquisition, the papal bull could not be enforced and the case did not proceed until his death in 1576. The Marqués de Camarasa y Conde de Ricla (Cobos's grandson) managed to delay the Royal Council's decision and insisted that officials, who Toledo had nominated, could not be appointed to Cazorla until the *Audiencia* had pronounced. Camarasa successfully delayed a decision, and hence continued to receive rents and benefits, until archbisop Sandoval y Rojas gathered all the documents of proof of rights in the *memorial del pleito*, which is in Toledo's cathedral archives.

The Church was much better at documenting their case. The Castilian *pleito* had developed the need for disputants to submit formal proofs to support their claims and for the judges to consider only those proofs in rendering a decision. The weight of evidence finally convinced Camarasa, in 1604, to agree a settlement prior to an official judgment. Camarasa agreed to give up rights to Cazorla, its towns and its castles, and all fruits and emoluments for himself and successors. In return, the archbishop of Toledo agreed for him and his successors to pay to Camarasa and his successors a perpetual annual rent of 7,000 ducats. This commitment was pledged against the property of the *Adelantamiento* and its income and *diezmos* (tithes). Cazorla was thus finally restored to Toledo and the agreement

confirmed by the pope in 1606, in return for a perpetual annual payment to Cobos's successors.¹⁴⁵

So, in the end, both the emperor and Cobos lost this battle for Church property. Cobos's urge to pass on his patrimony and status by endowing his family with the most powerful seignorage in Spain was thwarted – initially by the tenaciousness of Silíceo. It was, in the phrase of the anthropologist Natalie Davis, 'a gift gone wrong.'¹⁴⁶ We also learn something about the character of all three men. Where a humanist, like the Grand Chancellor, Gattinara, could not influence Charles by reason and argument, the primate of Toledo could browbeat him by appealing to *Nuestra Señora* and the power of his faith. Charles's letters and famous 'Instructions' also indicate that he did not think in terms that made him susceptible to humanist ideas of reform. Charles was profoundly a man of 'faith' and the intellectual currents of humanism and 'the new learning' in the end did not touch him. Although he did accept Erasmus's tenet of 'power tempered by natural justice,' but perhaps even here only when challenged by the revolt of the *comuneros*, which will be discussed in Chapter Four.

¹⁴⁵ RAH, Salazar y Castro, f. 59.650.

¹⁴⁶ Natalie Davis, *The Gift in Sixteenth-Century France* (Oxford, 2000), p. 67.

Chapter Three

Securing Power and its Consolidation.

In analysing the texts of early manuscripts of Cobos and his circle one must try to distinguish the underlying motivation from mere rhetoric. There is much language of friendship, loyalty, and dependence but this involved subtle shades of meaning and motivations may have been different; language may not have expressed meaning or thoughts, but merely socio-political convention. But all were bound by the common link — the social network of patronage. The *deudo* (mutual obligation) traditions of the nobility bound patrons and clients together over generations.¹⁴⁷ Cobos used this tradition in creating his own network. His political skills were such that he rarely reveals himself. He made no personal statements on his ideology or political strategy, so his ideals and political practice need to be tested by the documentary fragments and perhaps by the legacy of his buildings. His emperor had a 'theological mission to protect the Church' but his actions were often pragmatic, being driven by the overarching need to preserve and expand the Habsburg dynasty — his patrimony.¹⁴⁸ In choosing Cobos as his servant, Charles V had selected a practical man, but one who

¹⁴⁷ J. M. Millán, 'Las élites de poder en el reinado de Carlos V,' *Hispania (Madrid)*, 48, pp. 103-167; H. G. Koenigsberger, 'Patronage and bribery during the reign of Charles V,' *Standen en Landen* 22, (1961), pp. 165-175.

¹⁴⁸ W. Blockmans, 'Charles V's Ideals, Pragmatism and Strategy: an impossible mission,' in *Carlos V y la quiebra del humanismo político en Europa (1530-1558)*, ed. J. M. Millán, 6 vols (Madrid, 2000), II, p. 179.

also may have been influenced by religious ideas of moral utopia in the after-life.

Cobos's Good Works

fter carefully interrogating as much evidence as possible, the thesis concludes that Cobos was nothing less than the principal architect of Castile's government during his years working for the emperor: no-one was more powerful than Cobos in the areas of his competence. In Cobos's provision for immortality, perhaps his legacy, we may get a better sense of his aspirations, following his ascent to power as described in the previous chapter. Before analysing how he secured and consolidated power – how he handled the competition and used that power – the thesis will examine the care he took in providing for 'post-mortem' 'good works.' This pact with immortality would clear the way for his actions in this life. The *Diálogos de la preparación de la muerte* by Bishop Pedro de Navarra, published in c.1560 after Cobos's death, is a caricature of Cobos's 'preparations' and his life of 'greed and ambition,' by one of Cobos's few declared enemies.¹⁴⁹ Such 'dialogues' were common and written in Erasmian style, such as the *Diálogo de los grados de perfección que ha de tener el cortesano eclesiástico que pretende ser cardenal* (Dialogue of the levels of perfection that an ecclesiastical courtier must attain to become a cardinal).¹⁵⁰ A painting by Sebastian de

¹⁴⁹ BN, Pedro de Navarra, 'Diálogo de la preparación de la muerte,' 1560.

¹⁵⁰ *El diálogo en el Renacimiento español* (Madrid, 1988), p. 225.

Piombo (1485-1547) in the Prado shows the triumph of Christ over death. An anonymous script is written in one corner saying: 'a gift to Cobos: a devotional painting we know he will like.' Cobos commissioned an enormous sculpture of Christ from Piombo but this has not survived. Piombo also had a connection to Pope Clement VII. He sealed the papal documents and, therefore, perhaps Cobos had other reasons to forge this connection. Power over the papacy was important to Cobos because of his designs on Cazorla, which was discussed in the previous chapter. His negotiations with Pope Clement VII will be discussed in Chapter Four.

The evidence of Cobos's concern for immortality is available through manuscripts of contracts between him and his family, architects and friends, and the formidable array of buildings he had commissioned whose architecture provides 'concrete' evidence of his aspirations. He saw himself doing honour to God in the most ostensible possible way. In this he was acting like kings in previous centuries – England's Henry VI in the mid-fifteenth century had begun work on King's College Chapel Cambridge, as an architect for posterity memorialising himself in glass and stone. Cobos's testament also refers to some of these contracts and the need for completion according to his wishes.¹⁵¹ Again, there may have been a distinction between the 'good works' themselves and the motives, which inspired them. However, this evidence also provides some insight into the thought

¹⁵¹ Francisco de los Cobos, 'Testamento de Francisco de los Cobos,' 1547, Seville, Archivo Ducal de Medinaceli, Sabiote, leg. 1, pieza 17.

and mentality of the age: an age where intense visual displays were seen as moral as well as aesthetic virtues.

Úbeda, his native town, where he was born and died, is a good place to examine these issues. Among the most important buildings are the *Hospital de Santiago*, his family home the *Palacio Francisco de los Cobos* – a severe Castilian pre-Renaissance building – and the *Sacra Capilla de El Salvador*. The buildings themselves may well reveal, in part through their iconography, something of his religious thoughts. The saints and apostles of Spanish Catholicism are nowhere to be found – instead the emphasis is on classical imagery. El Salvador is pure Renaissance and modelled on Machuco's masterpiece, the cathedral in Granada, Spain's only Renaissance cathedral.

The contracts for the construction of these buildings, found in the notarial archives of Úbeda, show the detail of Cobos's planning for their completion and endowment after his death. El Salvador represented Cobos's vision and its completion was essential to defining himself. The contracts with Andrés de Vandelvira, the architect, include items such as ... 'condiciones para realizar el púlpito de la iglesia de El Salvador' (design and form to complete the pulpit), commitments that the tracery in the sacristy and around the principal doors would all conform to that agreed in the original drawings by Dean Ortega.¹⁵² Other manuscripts in the notarial archives of Úbeda – of particular interest in the

¹⁵² Archivo Histórico de Úbeda, Andrés de Vandelvira, 'Contratos para la Iglesia de El Salvador,' 1536.

detail of the arrangements for the completion of this Renaissance masterpiece – include the *Obra Pía del Deán* which includes the Dean, Fernando Ortega's *Testamento*, his 'Memoria inventario de los bienes de la iglesia de El Salvador' (inventory of the furnishing of El Salvador) and his 'Estatutos del Hospital de Santiago': all works paid for by Cobos and executed by Ortega, his faithful servant.¹⁵³ The 'Visita de moribus de doña María de Mendoza, 1568,' also indicates attention to the post-mortem wishes of her husband with a requirement for regular inspection of the furnishings and fabric of El Salvador.¹⁵⁴ The 'Estatutos de la Sacra Capilla de El Salvador,' drawn up in 1544, three years before Cobos's death, show, among other items, provisions for chaplains, which include the necessity of *pruebas de limpieza* (proofs of bloodline).¹⁵⁵

El Salvador is essentially a funerary pantheon for Cobos and his wife, María. The imagery is Erasmist, pure Renaissance humanism. There are no saints or scholastic pairings of scenes from the Old and New Testaments. Classical Greek images dominate the interior of the chapel. Perhaps the imagery had to conform to new imperatives of Erasmian thinking: but this was already being reassessed in a more orthodox Spain. Huizinga writes that Erasmus internalised his religious passions and did not require

¹⁵³ Ibid. Dean Ortega, 'Estatutos del Hospital de Santiago. Obra Pía del Deán, libro 995,' 1544.

¹⁵⁴ Ibid. Dean Ortega, 'Visita de moribus de doña María de Mendoza. Obra Pía del Deán,' 1568.

¹⁵⁵ RAH, Ms 198, Francisco de los Cobos, Estatutos de la Sacra Capilla de El Salvador 1544, Salazar y Castro.

external images. Its architect, Vandelvira, and sculptor, Jamete, chose motifs mixing pagan (classical) with religious mysteries: the transfiguration of Christ on the external main façade and the classical sibyls and labours of Hercules inside the magnificent sacristy form a dramatic narrative with a sequence of scenes outlining Greek legends. They reflect the prevailing Renaissance humanism of the time and, given Cobos's attention to detail, perhaps represent his view of the world, although probably in partnership with Dean Ortega. Depicting classical figures was also a way to show intellectual interest, a refined aesthetic sense, and wealth and status. It somehow identified the patron with the unprecedented contributions to thought, literature and fine arts by Periclean Greece.

Cobos also ensured that the chapel was embellished with heraldic devices as the emblem of his power and 'perpetual dynasty.' Cobos's family is depicted, high up on the ceiling sculpted by Jamete, with the Mendozas (María's family), represented by the counts of Ribadavía, on their left. What is clear is that Cobos wished his mortal remains to rest in Úbeda within his 'good work' of El Salvador, to await resurrection at the end of time or escape from purgatory — it was his act of piety. Thus the monument had to be enduring. Curiously, the slab covering his grave before the high altar does not have his name, which is everywhere else in the chapel, including about forty Cobos family *escudo* (coat-of-arms). Dean Ortega was Cobos's instrument, a humanist in the Erasmian mould. Erasmus's *Enchiridion* was

widely read in Spain and El Salvador shows the resting place of a Christian knight in the age of humanism, before the Counter-Reformation. Classical and Hebrew motifs are everywhere within, but the greatest icon is the Transfiguration of Christ over the main entrance, showing the supremacy of the New Testament. Does this make Cobos an 'Erasmist,' in the sense of a classical humanist? This idea has been discussed with the distinguished art historian, Joaquín Montes Bardo, who elaborates on the theme in his book on El Salvador.¹⁵⁶ Many of Cobos's friends were Erasmist, but there is no evidence to support this theory other than the Renaissance buildings he commissioned. At least he was more aware of cultural and religious conflicts than Keniston surmises.

Cobos also ensured that the iconography of power was carved on many of Úbeda's buildings in the form of his family *escudo*. He had learned the importance of symbolism from Charles V, who had extensively developed the visual imagery of power. His nephew, Juan Vázquez de Molina, continued the family symbolism by having his own palace (now the *Ayuntamiento*) also designed by Vandelvira and ensuring that Cobos's *escudo* (coat-of-arms) alternated with his own, representing the marital link of both families — Cobos's brother having taken the Vázquez de Molina name from his wife. This was common practice in Castile, perhaps signifying the greater importance of the Vázquez de Molina

¹⁵⁶ Joaquín Montes Bardo, *La Sacra Capilla de El Salvador: Arte, Mentalidad, y Culto* (Úbeda, 2002).

name in Úbeda prior to Cobos. The extensive imagery in El Salvador does not necessarily show that Cobos was a 'Pelagian,' believing that man was responsible for his own salvation by his efforts – 'good works' – in life, separate from turning from chaos by receiving Divine Grace. After all, through his influence on the papacy, he acquired all the 'indulgences' for himself, family and friends that he needed to purchase salvation.¹⁵⁷ But Cobos may, in this, simply have been hedging his bets – always a practical man – by purchasing salvation from purgatory by 'good works,' completed after death. The getting and keeping of power certainly showed a man who believed in this world.

Framework of Power

Cobos's motives for each action were not isolated events, but part of a connected whole and must be understood in that context. His rise to power through the institutions, as has been explained in the previous chapter, had to be consolidated and he faced competition from more senior advisors to the emperor. I. A. A. Thompson has described 'The Institutional Background to the Rise of the Minister-Favourite.'¹⁵⁸ He considered four 'interrelated features' that defined the 'favourite' in the early 17th century, including their political and institutional functions. However, neither Charles nor his son Philip delivered themselves into

¹⁵⁷ BN, Archivo Osuna, Mss 8446 & 8447, leg. 4039, 1 & 2, Breve expedido por S. S. El Papa Clemente VII a Don Francisco de los Cobos, 1530.

¹⁵⁸ I. A. A. Thompson, 'The Institutional Background to the Rise of the Minister-Favourite,' in *The World of the Favourite*, ed. J. H. Elliott (New Haven, 1999).

the hands of a 'favourite.' There was always a sense of a balance of power in the struggle between factions. Indeed Charles V in his 'Secret Instruction' to Philip, on 6 May 1543, clearly warns his son not to delegate too much authority to one person, writing, 'conduct your business with many advisors.'¹⁵⁹ There is some evidence about Cobos's role in drafting some of Charles's 'Instructions' to the various regents before he left on campaign.¹⁶⁰ Whether they were policy announcements or 'dynastic commands' they provide us with an insight into Charles's and Cobos's policy framework. Cobos's policy successes, at this stage in his rise, are mainly measured by his attainment and consolidation of power, not by the furtherance of the interests of the realm. Thus it was about his winning out over rivals. To this extent perhaps his focus was on process rather than policy substance.

Nevertheless, it is useful to compare and contrast Cobos's status with Thompson's defining characteristics of 'minister favourites.' First, they operated in the council and court, with power and patronage, and were predominant but not monopolists in both areas. Second, they operated independently of established institutional channels, often without formal secretarial status, diverting, through

¹⁵⁹ *Corpus Documental de Carlos V*, ed. by Manuel Fernández Álvarez, 5 vols (Salamanca, 1975), II, pp. 108-109.

¹⁶⁰ BN, Ms 10300, Francisco de los Cobos, copia de una carta que Francisco de los Cobos, grandemente estimado del señor emperador Carlos V y su secretario de estado, escribió a S. M. Cesarea, respondiendo a otra que tube de dicho señor emperador, 1543. (Copy of a letter from Cobos, greatly valued by his lord emperor Charles V, and his secretary of state, written to H. M. Caesar, replying to another he had from said lord emperor).

themselves, the normal flow of access and information to the king. Third, they were at the centre of a national network of clientage, not restricted to court. Fourth, they were political, using influence for a political rather than for a private purpose. They were promoting policy, such as reforms or fiscal arrangements designed to reinforce the authority of the state. Certainly Cobos was active in many councils and at court, but he did not have a monopoly of power or patronage. He shared or continuously competed for influence with other faction leaders or close advisors to Charles V, such as Gattinara, the Grand Chancellor, Cardinal Tavera, President of the Royal Council and occasional regent, and of course the Duke of Alba – all powerful in military matters.

Curiously, he had an apparently amicable non-competitive relationship with Nicholas Perrinot, the Marquis of Granvelle, who was the emperor's confidant on foreign policy after the death of Gattinara in 1530. Granvelle's Spanish was not fluent and he did not know the intricacies of Castilian administration needed for a *secretario*; in this sense he could never be a threat to Cobos. But together they shared the emperor's confidence and managed much of his business – Cobos for Spain and the Mediterranean, and Granvelle for Flanders and Germany. Charles was always conscious of the need to divide his favours.

Cobos was not a *privado* in the sense of Álvaro de la Luna in the 15th century or Conde-Duque Olivares and Lerma in the early 17th century. He could not pretend to alienate royal authority; his counsel was valued by the emperor but

limited by the terms which Charles set. His impact on policy therefore was totally dependant on his maintaining the confidence of the emperor. His successes can therefore be inferred from the evidence of that confidence. As for Thompson's second criterion, Cobos did not become secretary of state until October 1529.¹⁶¹

The *Quitaciones de Corte* in the royal archives at Simancas is a good record of dates of titles and positions granted by Charles. Prior to this date he could, therefore, to some extent operate independently of a particular function, enjoying the ambiguity and advising Charles V on a broad range of subjects, as secretary on several important councils. He understood that, 'the key to permanent power lay not in holding office oneself but in managing the system. This required manipulation of institutions and networks.'¹⁶² Cobos developed his network of secretaries primarily through relatives – the Úbeda secretaries – and friends with reciprocal obligations. His nephew, Vázquez de Molina, was of particular importance and kept Cobos informed when he travelled with the emperor. Cobos manipulated to the advantage of the Crown and himself a system of social relationships connected by family, and personal loyalties. This extended from court to the towns of Castile and governors of provinces as well as various ambassadorial positions throughout the empire. This was helped by a strong

¹⁶¹ Francisco de los Cobos, AGS, *Quitaciones de Corte*, leg. 16, 1529.

¹⁶² F. Fernández-Armesto, *Amerigo: The man who gave his name to America* (New York, 2007), p. 25.

sense in society of the hierarchy and majesty of authority: the 'firm expectation of being obeyed.'¹⁶³ Cobos needed the help of those who possessed power and influence of their own: nobles, princes of the Church, and lay or ecclesiastical groups like the Military Orders. That is why, on his ascent to power, he had striven to become part of the establishment. His position at court was also at the centre of 'gift-giving' that enabled him to develop a network of reciprocal obligation across his clientage.

The fourth characteristic suggested by Thompson: using influence for public policy rather than private purpose does not fit Cobos because he operated in both areas. Enrichment of self, family and friends was clearly his primary motivation, recognised and accepted by Charles V — he was venal, but limited his venality 'creo que no toma él cosa de importancia; basta que unos presentes pequeños que hacen a su mujer le infamen. Yo le he avisado dello,' said the emperor in his 1543 'Instruction' to his son (I believe he takes nothing of importance; some small presents that his wife makes him take, which affects his reputation. I have warned him of this).¹⁶⁴ His acceptance of 'gifts' does not seem to have conflicted with the emperor's needs. It was generally accepted in the social and financial system of the time that an official would naturally make the most of the financial and social opportunities that the possession of

¹⁶³ H. G. Koenigsberger, 'Patronage and bribery during the reign of Charles V,' *Standen en Landen* 22 (1961) p. 166.

¹⁶⁴ *CDCV*, II, p. 110.

office offered him. But the emperor, with the power of *gracia, merced y patronazgo* (grace, privilege and patronage), kept close personal control over patronage, because on this depended the loyalty and cooperation of his servants at court and in council. For example, his governor of the Low Countries, his aunt Margaret of Austria, vainly protested that she could not govern without controlling patronage. Public honour and privilege depended on *mercedes* from the prince. By attaching themselves to Cobos his followers expected advancement and profit, which derived from their master's closeness to the emperor.

Cobos's genius was in refining the top-down relationships through an extensive pyramidal system in which power flowed from the top. He did this by granting discretionary power to the people immediately around him; they in turn granted discretionary power to much larger numbers directly below them. This process expanded as it worked its way down to the bottom of the pyramid. The system held together because each official was beholden to the person directly above him. But everyone knew that Cobos was the *patrón*. That was the source of his political power and that was how Cobos governed. Patronage was an essential part of such a pyramidal power structure based on discretion. He also ensured that his supporters were well-positioned around the various regents when Charles left the country. This was particularly the case with the empress's court, where Cobos's nephew Vázquez de Molina held sway. The regents were therefore cut-off from real power. Tavera seems to have been

aware of this and, when acting as President of the Council, used the opportunity to place his own people in positions of power.

Administrative Machinery and the Framework of Policy

The means by which Cobos made himself indispensable to Charles had already been apparent from the outset when he first joined the court at Ghent in 1516. He accompanied Charles when the court moved to Spain in 1517. Pedro Mexía, the chronicler, referring to Charles's followers, writes 'por su secretario venía Francisco de los Cobos, que después fue gran privado suyo y tuvo la principal mano en la gobernación' (for his secretary came Cobos, who was later his great favourite, and was the main hand in government).¹⁶⁵ But the evidence I have presented disputes the definition of Cobos's role as a *privado*, yet it is interesting that a chronicler of the time would so describe him. He had, through early apprenticeship as an *escribano* with Hernando Zafra, secretary of Castile for King Fernando, and later with Lope Conchillos, acquired a detailed knowledge of the form and order of documents required to administer Castile.

Charles liked to deal directly with the secretaries, circumventing the Royal Council, which was a cause of conflict with Gattinara and later with Cardinal Tavera as president of the Royal Council. This maintained his personal authority and freedom from restrictions of powerful members of the Royal Council. Yet it did have the consequence of

¹⁶⁵ BN, Ms 1926, Pedro Mexía, 'Historia del Emperador Carlos V'.

promoting the influence on policy of secretaries such as Cobos. Charles believed that secretaries were more his *hechuras* (henchmen) – more compliant to his will. Cobos would, therefore, prepare the Royal Council's agenda and summaries of decisions for the emperor to agree or occasionally make marginal comments. As Cobos was secretary to most of the departments of state he was eventually able to control policy over a large area. Gattinara had complained about 'secretaries' acting beyond their authority, but was ignored by Charles. Gattinara had been excluded from the new Council of Finance during the reforms of 1523. And thus began the conflict for power between Cobos and Gattinara.

On the death of Chièvres, Grand Chancellor and patron to Cobos, Gattinara became Grand Chancellor as recommended by Charles's aunt, Margaret of Austria, whom he had served in Burgundian Franche-Comté. Gattinara tried to reorganise the Council of State in order to broaden the emperor's pool of advice by bringing in men of different skills and experience. Gattinara, as head of the Council of State, controlled the flow of paper, content and agenda, to the emperor. He also held the royal seals while travelling with Charles. However, from 1518 Cobos authenticated most documents relating to Castile.

Cobos knew how to use form to create substance: the form of the royal documents was the process of controlling the levers of power and the machinery of state. Analysis of the diplomatics of some of the documents in the Simancas

archive and the *Archivo Municipal de Valladolid* shows the importance of the different types and forms of presenting documents and illustrates the role of functionaries such as Cobos in their issue and validation.

Authentication of documents, the *refrendata*, was critical for the administration: it gave greater legal certainty and legitimacy to their validity – *dando fé de el*. Without the relevant signatures the papers and their dispositions were ineffective. Each royal *cédula* or *carta de privilegio* had to follow a distinct form of *invocación* (calling on the unity of the Trinity, an all-powerful God and the apostles), *intitulación* (the monarch's titles and dominions, references to divine rights and command to further establish the monarch's legitimacy, including apostolic authority) and *notificación*. This was just a preamble before the actual text, and a clause indicating either a petition or a disposition. Finally, came the relevant rubrics of secretaries and/or notaries who authenticated the document. This could sometimes amount to several columns of signatures all identified by their specific function, and all required to authenticate the document. This process is illustrated in a treatise by a Secretary of State for War, Alonso Carnero. It is found in manuscript 10932, folios 182-224 in the *Biblioteca Nacional*: *el formulario de lo que debe observar un Secretario que lo fuere de Estado para formar las consultas y despachos, por Don Alonso Carnero* (the procedure which a Secretary of State must observe for his advice and office). These formulas pre-

dated the Catholic Kings and to some extent continued into General Franco's times — he also called upon divine authority. Spain is to this day enamoured with documents. *Justificantes*, registration and endorsements are required for many transactions, and all *requisitos* must be fulfilled, as with a *carta de privilegio* or *cédula real* of Cobos's times.

The Spanish historian, Escudero, has written extensively on the secretaries.¹⁶⁶ Another aspect of documentation was the requirement to verify the amount of payment and the basis for granting *mercedes y privilegios* prior to signature, 'que tome razón d'ésta' (that authenticates).¹⁶⁷ Thus above the signature the document would say, *tomada razón*. Not only had all the functionaries to correctly sign the documents; without the *tomador razón* it would not be valid. The *carta de privilegio* would then be registered in books of account and finally lead seals attached. These seals were kept in the *audiencias* of Valladolid and Granada, and the beneficiary had to take the documents there for the attachment of the seals. The beneficiary would finally receive his document of *merced*, as his *justificante*, which he had to retain carefully in case of future changes in his title.

In fact, Cobos was appointed to the office of *tomar razón de las mercedes* by a royal *cédula* in 1516, setting out

¹⁶⁶ J. A. Escudero, *Los secretarios del estado y del despacho* (Madrid, 1969).

¹⁶⁷ Ibid., 'Notas sobre los secretarios de estado entre los siglos XV-XIX,' *Hispania* (Madrid) 128 (1974), pp. 609-625.

the appointment and salary, and signed by Cisneros, 'por mandado de la Reyna e del Rey su hijo Nuestros Señores, el governador en su nombre' (by order of the queen and her son the king, the ruler in her name).¹⁶⁸ The diplomatics illustrate the care taken to place the queen's title first. Subsequent to Charles's elevation to emperor the order changed. The *Contador Mayor* had to record the *merced* and arrange for payment. As Cobos also signed many of these papers this was no check on his powers. He also was named a *Contador Mayor* and thus had control of the entire process. Each office, of course, carried a stipend and Cobos voraciously accumulated such posts on his road to great wealth. He could also add to his fees by appointing deputies and sharing the annual salary, as he did for the *carta de poder de Cobos nombrando lugarteniente de Contador Mayor Francisco de Almaguer, con fecha 10 December de 1543* (power of attorney naming Almaguer as deputy controller, dated 10 December 1543).¹⁶⁹

Prior to the creation of this office, the king had to ask for an extract from the official books. Charles preferred to rely on his trust in his *tomador*, Cobos, to confirm the correctness of the *asiento* (contract of privilege). The *carta de privilegio* would assign specific royal revenues, such as *alcabalas* (transactional taxes) from a specific royal town, to meet payment against a *juro* – a fixed interest bond assigned on royal revenues. When

¹⁶⁸ AGS, QC, leg. 16, Francisco de los Cobos.

¹⁶⁹ AGS, QC, leg. 15, Francisco de los Cobos.

discussing Cobos and financing, in Chapters Four and Five, the importance of royal *juros* will be developed. The *Quitaciones de Corte y Mercedes y Privilegios* at Simancas is a rich source of these documents, bearing Cobos's signatures. He writes *por mandado de Su Majestad* to the *Contador Mayor* (i.e. himself), to make payment to named individuals. The collection in Simancas of such documents gives an insight into the bureaucratic workings of Castile at this time.

When Charles first arrived in Spain, the *Cortes* of 1518 decided that 'si en algún tiempo diese Dios salud a la Reina, D. Carlos desistiría de la gobernación y gobernaría sola Dña Juana y en que todas las cartas y despachos reales que viviendo la Reina se pusiese primera el nombre Doña Juana y después el de D. Carlos' (if God grants good health to the queen, Don Carlos will no longer govern and only Doña Juana will govern and all royal despatches and letters will put her name first and afterwards that of Don Carlos).¹⁷⁰ It was not until he was declared emperor in 1519 that it was agreed that his name would precede Doña Juana. Thus it is not surprising that, to ensure his power and legitimacy, he imported his own people from Flanders and sought to avoid or, at least, to control meetings of the *Cortes* through his loyal councillors, such as Cobos. If a letter was written in the emperor's hand the secretary could not authenticate such letters, but this was rare. After the secretary's

¹⁷⁰ Ibid., leg. 37.

authentication, the royal seal had to be added to give absolute validity to the instrument.

Gattinara as Grand Chancellor controlled these seals, but delegated their use to the secretaries, particularly when he was travelling. Cobos was able to avoid the seals by developing his own unique style of rubric and he would *refrendar* the emperor's correspondence when travelling with him. The rubrics were a highly individualised flourish at the end of his signature and were a legal requirement similar to a seal or official stamp. Cobos's mastery of the documentation, unique to Castile, made him essential to Charles. Gattinara dealt with grand strategy, but that was Charles's role, and Gattinara's flurry of memoranda on policy was largely ignored. Cobos's power came through controlling the agenda of items for the emperor, by summarising issues and suggesting responses. Thus people knew that to reach Charles it was expedient to go through Cobos, or at least copy him on their correspondence.

Secretarios de Estado carried out their functions in council, as all could not travel with the emperor. This may be one reason why Cobos delayed taking up this position. It was more important for him to be with the emperor. If a *Secretario de Estado* accompanied Charles V, a substitute would be appointed to the council. After 1530 Cobos was able to alternate with his nephew Juan Vázquez de Molina. He had to choose his substitute carefully and avoid ambitious new men accompanying the emperor. Juan Alemán as Secretary of

State, travelling with the emperor and serving under Gattinara, was a threat in this regard.

By 1522 Cobos was secretary to most of the ministries of state. He became *Secretario de las Indias* in 1522, on the death of Conchillos, and *Secretario del Hacienda* in 1523, thus getting closer to controlling the machinery of government. As we saw, he was issuing *refrendas* of *cédulas reales*. When travelling with the emperor, which he increasingly did from 1520 to 1522, he would delegate the *refrendata* to Juan de Samano and his nephew Juan Vázquez de Molina. He had to be sure of those he left in charge, hence many came to be called 'the Úbeda secretaries.'

The thesis will not research the detail of the conflict with Gattinara because this has been thoroughly covered by both Keniston and John Headley.¹⁷¹ The conflict developed from 1521 — perhaps generated by Gattinara's *memoria* of 1521 advising the emperor on reorganising government by spreading power over several secretaries. By this time Cobos had placed his 'clients' in many of the key administrative posts. It was a standard *putsch* to control the machinery of government at every level and to ensure that policy met his and the emperor's agendas. For Charles the administration of Castile, as the empire's main source of wealth, was more important even than the grand strategy of imperial reform

¹⁷¹ Hayward Keniston, *Francisco de los Cobos, Secretary to Charles V* (Pittsburgh, 1958), pp. 99-103; John M. Headley, *The Emperor and his Chancellor: A Study of the Imperial Chancellery under Gattinara* (Cambridge, 1989).

suggested by Gattinara. In this, his need for Cobos was greater and Gattinara had overplayed his hand. Charles's lack of support for Gattinara was probably also influenced by his 'balance of power' tactics.

Gattinara was in charge of foreign policy and the affairs of Aragon and Italy, but increasingly excluded from the more important affairs of Castile. Cobos combined the role of personal secretary to the emperor with his positions as secretary in most of the main ministries, thus maintaining his guiding hand on the pulse of power. Salinas, Charles's brother's ambassador, wrote in 1523

Cobos tiene todo el cargo del Estado de Castilla ... estar muy en la gracia de S. M. y todas las cosas de estos reinos se despachan por su mano (Cobos is completely in charge in Castile, he is very much in the emperor's favour, and everything in these kingdoms passes through his hands).¹⁷²

Cobos's position was strengthened by his support of Charles during the *comuneros* revolt. The *Biblioteca Nacional*, manuscript 1751, 8 October 1522, lists the *comuneros* convicted and those pardoned: 'el dicho perdón ante el Secretario Francisco de los Cobos' (said pardon confirmed before Cobos). The subsequent Hispanicisation of the *consejos* and the regional centres of power enabled him to place his people in key positions.

In fact, Charles's relationship with the *alta nobleza* was conditioned by the trauma of the *comuneros* revolt, and

¹⁷² Rodriguez-Villa, A., ed., *Martin de Salinas, embajador del infante Don Fernando (1522-1539) al emperador Carlos V y su corte, según sus cartas* (Madrid, 1903), p. 210.

worries about intrigues in his brother's court. He needed their help but did not fully trust them. Thus he employed them in the *casas reales* or they represented him in various territories, or retired to their *señoríos*. This gave opportunities for *hidalgos* like Cobos.

The major post that Cobos did not yet hold was *Secretario del Estado*, a post to which he did not attach great value as it would have limited his ability to travel with the emperor. Juan Alemán, a protégé of Gattinara, held this position under Gattinara, who was President of the Council. And thus it would serve Cobos's interests if he could break the link between Alemán and Gattinara. Some sources indicate that Alemán was also trying to discredit Gattinara with the emperor by spreading rumours that he had papal pretensions. However, it was not until 1528 that Alemán was accused of interfering with documents to change their meaning for his own profit, as well as taking bribes from Francis I. However, the former charge was more serious in a world where documentary form was often more important than bribery by a foreign power. Alemán was banned from court, and some stigma attached to Gattinara, his patron.

Cobos became *Secretario de Estado* in 1529. Gattinara died in 1530 before Charles V's coronation in Bologna. The post of Grand Chancellor was not filled. This made the position of *Secretario de Estado* more important. A chronicler of the time, López de Gómara, in his *Anales*, stated that Cobos was responsible for Alemán's fall, but no

manuscript evidence could be found to substantiate this.¹⁷³ Although Cobos was the main beneficiary, a more likely interpretation is that it was the result of a combination of Gattinara and his intimates reacting to Alemán's betrayal of their interests. The *Biblioteca Nacional* manuscript collection has several letters from Alemán to Cobos requesting his intercession with the emperor to allow him to return to court, which may show his lack of suspicion of Cobos.¹⁷⁴ Keniston writes that 'with the disappearance of Alemán, Cobos is left as the only secretary who enjoyed the confidence of the king.'¹⁷⁵ This is perhaps an exaggeration, and Charles always kept a 'balance of power' among his servants. It does, however, signal Cobos's arrival at the peak of his influence.

Another possible explanation for Cobos's late arrival to the position of *Secretario del Estado* was that the function of this job was carried out in a committee, or *consejo*, and this would have restricted Cobos's ability to be with his emperor on his travels. When he became *Secretario del Estado* his solution to this dilemma was to travel, to be close to the emperor, and have his *hechuras*, or clan members *refrendar* state documents. From the signatures of various manuscripts in Simancas one can see a pattern of Cobos travelling with the emperor while his nephew, Juan Vázquez de Molina – part of the Úbeda group and

¹⁷³ BN, Ms 1751, ff. 1-53, *Anales del Emperador Carlos V.*

¹⁷⁴ BN, Ms 1778, ff. 172-173, Juan Alemán, *Al muy magnífico comendador mayor de León*, 1529.

¹⁷⁵ Keniston, p. 114.

also personal secretary to the empress – remained behind in *consejo*, until Vázquez's appointment as *Secretario de Guerra* in 1533. An example of this was Charles issuing a *cédula*, on 8 March 1529, to his council and to Isabel his regent, 'que durante el tiempo que estuviese ausente de los reinos Francisco de los Cobos, en los asuntos que éste entendía le sustituya Juan Vázquez de Molina' (during the time that Cobos was absent from the kingdoms he will be substituted in his area of competence by Juan Vázquez de Molina).¹⁷⁶ When Cobos stayed behind in *consejo* Juan Vázquez travelled with the emperor. Ambitious men wanted to be with the emperor, so Cobos had to control this carefully. When, after Cobos died and Eraso succeeded him, Eraso travelled with the emperor.

From 1529 to 1536 Cobos accompanied Charles V and was at the peak of his influence but, as the *consejos* had to stay behind to govern and carry out Charles's commands, it was essential for Cobos to have his chosen men in place. By 1530 he had placed his *hechuras*, and was confident enough to travel. He attended the emperor's coronation by Pope Clement VII – Giulio de Medici – in Bologna and managed his correspondence from there. He also had Clement VII issue a bull from Bologna, dated January 8 1530, granting Cobos and wife, family and a long list of friends 'indultos, gracias y privilegios,' as previously cited. There is a portrait of Pope Clement VII (a Medici) by Sebastian del Piombo in the Getty Museum, ironically positioned close to that of Cobos.

¹⁷⁶ AGS, QC, leg. 30, 1529.

The Medicis became important allies of the emperor and Cobos. This will be revisited in Chapter Four.

Cobos's elevation attracted the admiration of García de Loaysa, the emperor's confessor. Letters from Loaysa, 1530-31, from Rome are included in the *Colección de Documentos*, CODOIN, XIV, in the *Biblioteca Nacional*. An example is his letter to the emperor, 6 July 1530:

Siempre fui en que el secretario Cobos era el cofre de vuestra honor y de vuestros secretos ... que sabía cumplir vuestras negligencias ... y tiene una prudencia de molde maravillosa ... Siendo ésto verdad, digo Señor que mi voto es que V.M. sea el Gran Chanciller el efecto de todos vuestros negocios vayan por el consejo y manos de Cobos (I always believed that Cobos was the jewel-case of your honour and your secrets, that he knew how to pick up after you, and is wonderfully prudent, ... therefore my view is that you should be your own Grand Chancellor and all your business might go through the council and Cobos).¹⁷⁷

In fact the prudence of Cobos was a widely-held view, but it is also interesting that the confessor saw no need for a Grand Chancellor. García Loaysa, as bishop of Sigüenza, was later sent as ambassador to the papacy and conducted much correspondence with Cobos, full of rhetoric and phrases of respect and admiration. A letter, dated Rome 30 November 1531, from Loaysa conveys the pope's admiration as well. Loaysa continually seeks to return to court, but Cobos found him more useful in Rome.¹⁷⁸ Cobos's ability to quickly deliver *mercedes* within the emperor's gift was noted by Venetian ambassadors and by Salinas, the ambassador at

¹⁷⁷ *Colección de Documentos Inéditos para la Historia de España*, 112 vols (Madrid, 1842-1895) XIV.

¹⁷⁸ BN, Ms 1778, Cardenal de Sigüenza García Loaysa, Al muy señor comendador mayor de León del consejo supremo de la Majestad Católica, 1531.

court for the emperor's brother, Fernando. Salinas writes to Fernando on 27 August 1533 saying he has asked Cobos, on Fernando's behalf, to acquire an *hábito* for the papal nuncio. On 12 September he writes again saying that it had been granted.¹⁷⁹ Letters from Salinas to Fernando are very important contemporary sources that testify to the growing influence of Cobos and Granvelle. On 15 December 1535, Salinas, then moving with Charles's court, wrote from Naples that 'de Cobos no se había de hacer en ello cosa alguna sin su orden y consejo' (nothing can be done without Cobos's order and consent).¹⁸⁰ Cobos was engaged in a multitude of tasks in these years, including arming the coasts against French and pirate raids, preparing for the Tunis expedition and reviewing Charles's 'Instruction' to the empress, then appointed regent on his departure for Tunis.

From this time on, Cobos signs, *refrendar*, his correspondence as *Comendador Mayor de León* without stating his official title of *Secretario de Estado*. This has caused some historians to doubt his official title. But this is clearly stated in the *Quitaciones de Corte* in the Simancas archives, naming appointment and date. He appears to have been more interested in his *señorial* titles than the bureaucratic title of *Secretario de Estado*. These were more personal to him than a bureaucracy and reflected his greater power and closeness to his emperor. Charles does not refer

¹⁷⁹ E. Albèri, ed., *Relazioni degli Abasciatori Veneti al Senato*, 6 vols (Florence, 1859), I, pp. 60-64.

¹⁸⁰ Rodríguez-Villa, ed., p. 693.

to him as *mi Secretario de Estado*, but as *Comendador Mayor de León del mi Consejo de Estado*.

Cobos and Tavera

Although Cobos was well placed he still had rivals at court after the death of Gattinara. Among those was Tavera, archbishop of Santiago, President of the *Consejo de Estado* and *Capellán Mayor* to the emperor. The relationship between Tavera and Cobos has been difficult to uncover due to the seclusion of Tavera's papers in the small private archive of the Duchess of Medinaceli in Toledo. They are not in the larger archive of the nobility, the *Hospital de Tavera*, as would be expected. The archive is an extension of the Duchess's *Casa de Pilatos* archive in Seville. The archivist only visits twice a year, so access is difficult and there is no catalogue.

The reforms of 1523, following the defeat of the *comuneros*, 1520-21, attempted to meet some of the grievances of the rebellious cities, particularly regarding the need to replace the foreigners at court and reform some institutions. There is much written by historians of this period about institutional reform. Some historians have tried to show a relationship between financial need and the growth of representative institutions.¹⁸¹ Economic historians have developed models of the growth of trade from 1500 and

¹⁸¹ I. A. A. Thompson, *Crown and Cortes: government, institutions, and representation in early-modern Castile* (London, 1993).

related this to the development of institutions in Europe.¹⁸² However, there is little evidence in the documents that new *consejos* such as the *Consejo de Hacienda* gave more power to permanent institutions, which might have acted as a check on the emperor's war policies, many of which were against the interests of Castile. The next chapter analyses closely the change in the balance of power between the nobility and the cities, as Charles's financial needs grew and he came to rely on the *servicios* provided by the cities to supplement royal 'domain' revenues. Nevertheless, it simply was not in the nature of Charles's patrimonial form of rule that institutions should form a representative role. Instead of institutions, Charles acted through individuals whom he could trust. On arriving in Spain, Charles had placed his Burgundian favourites in Church and council to protect and promote the ascendancy of his dynasty. He largely ignored the conciliar system of the Catholic Kings and, with new taxes, he alienated the Castilian cities and churches. As many Castilians had supported his brother, Fernando, for the throne he needed to place his Burgundian clients in key positions.

The reforms of 1523 included the taxation of ecclesiastical property and the dis-establishment of the Military Orders, with their wealth used to finance Charles's military projects. Cobos facilitated this policy, which required a papal bull, through his close connections with

¹⁸² D. Acemoglu, 'The Rise of Europe: Atlantic Trade, Institutional Change, and Economic Growth,' *American Economic Review* 95, no. 3 (2005), pp. 546-579.

Pope Adrian, who had been Charles's regent during the *comuneros* uprising. The financial need driving this policy effectively resulted in the appropriation of the wealth of a powerful group in society. Tavera was appointed president of the Council of Castile (1523-1539) and Cobos secretary of the newly created *Consejo de Hacienda*. Tavera also represented clerical interests as archbishop of Santiago, a seemingly powerful combination. He later became Inquisitor General, defeating the Erasmian Inquisitor General, and archbishop of Seville, Alonso Manrique, in a power struggle, as the religious climate changed under Luther's assaults. Ambiguity of religious identity became dangerous and the Inquisition enforced choice. Manrique was dismissed by Charles. Tavera was named archbishop of Toledo, 1534-45, the most powerful prelate in Spain. So he was a formidable competitor for Cobos, at least until the mid-1530s. Contrary to the views of some historians, it is more probable that these reforms were more about solidifying Charles's dynastic and patrimonial interests than any idea of administrative efficiency.¹⁸³ Charles needed loyal Castilians to ensure his dynasty, and Tavera and Cobos provided such a group with their clientage, and Charles could balance that power between their respective factions through his royal *gracias y privilegios*. These conciliar reforms have been well

¹⁸³ A. Espinosa, 'The Spanish Reformation, Institutional Reform, Taxation and the Secularisation of Ecclesiastical Properties under Charles V', *The Sixteenth Century Journal* XXXVII, no. 1 (2006), pp. 3-24; J. A. Escudero, *Los Secretarios del Estado y del Despacho*, 4 vols (Madrid, 1969), I.

covered by Carlos Morales.¹⁸⁴ Tavera, in particular, reinforced the auditing reforms of the Catholic Kings with regular *visitas* and *residencias* to clerical and judicial bodies, such as the *audiencias* and the chanceries of Granada and Valladolid. This was a significant attempt to hold the clergy and judicial bodies accountable, although often used as a political weapon rather than an inquiry into probity.

Tavera and Cobos had both learned their administrative skills in the court of Fernando, and gradually placed their *fernandino* contacts in key positions: Tavera brought in more *letrados* from the universities, and clerics, jurists and prelates; Cobos, his friends from Úbeda. Cobos, therefore, encouraged Charles to reclaim spiritual power over clerics and to remove them from positions on the *consejos* and thus undermine the position of Tavera. Tavera's power over the clergy was weakened by their refusal to grant funds to the emperor at the *Cortes* in 1527 in Valladolid. Instead, Tavera and Manrique squabbled over orders of precedence in speaking. The emperor's decision is conveyed in manuscript 11599, No. 9, folios 98r to 99v in the *Biblioteca Nacional*. This is one of the very few documents in Cobos's 'hand'. It conveys the emperor's decision to give precedence to neither, but to take turns at his side; it bears the inimitable Cobos signature rubric.

¹⁸⁴ Carlos Javier de Carlos Morales, 'El régimen polisinodial bajo la égida de Cobos y Tavera,' in *La Corte de Carlos V*, ed. J. M. Millán (Madrid, 2000), II, pp. 43-49. Ibid, *El Consejo de Hacienda de Castilla, 1523-1602* (Madrid, 1996), pp. 34-48.

Representatives of the cities at the *Cortes* also refused to raise the *alcabala* or to increase the *servicio*, an annual subsidy granted by the cities. The *alcabala* was a form of tax levied on commercial transactions, nominally at 10% but usually compounded for a set sum. An *encabazamiento* – a composition payment – was usually agreed by the *Cortes*. It was then allocated to cities dependent on population size and volume of commerce. Cobos, Tavera and Manrique disputed between themselves on these amounts, and this issue caused the hostility between Cobos and Tavera. Tavera presided over the *Consejo de Castilla*, and was responsible for the negotiations on *servicios* at meetings of the *Cortes*. His failure to deliver on the emperor's requests weakened his position versus Cobos who was developing his own approach to the cities. This issue will be discussed in Chapter Four.

Yet Tavera still had the emperor's confidence when Charles appointed Isabel as regent in 1528, and again in 1529 to 1533. The emperor issued 'Instructions' for her to consult carefully with Tavera as president of the *Consejo Real*, when Charles left for Italy.¹⁸⁵ These 'Instructions' confirm Tavera's importance but not necessarily his predominance, as argued by Carlos Morales. Correspondence between Charles and Tavera, during the former's absence, shows a policy to obtain Pope Clement VII's blessing for using clerical subsidies for the imperial defence of Christendom. Tavera then negotiated with the clergy and the

¹⁸⁵ *CDCV*, II, pp. 148-153.

cathedral chapters for their contribution to Charles's financing, as agreed with the pope.¹⁸⁶ But Tavera's appointment as regent gave Cobos the opportunity to travel with the emperor, thus strengthening his position, although Tavera took the opportunity of the emperor's absence to place more of his people in the various councils. Charles, on his return from Italy in 1533, for the first time expressed public displeasure with Tavera's administration. Criticisms had reached him from members of the Royal Council regarding the disaffection of some nobles, which alarmed the emperor due to his memories of the *comuneros* uprising. The conflict was more between Tavera's newly promoted *letrados* and the old nobility who felt an infringement of their traditional jurist powers in their *señoríos* and the replacement of some *oidores* (judges) in the chanceries. It seems that Tavera had exceeded the delicate balance between inaction and exercising authority on the emperor's behalf.

As Charles's financing needs grew, so did the importance of the *Consejo de Hacienda* and Cobos's role to obtain the funding. With the death of Gattinara in 1530, Cobos concentrated on sidelining all challenges, which he largely succeeded in doing until the generational changing of the guard of 1545-47, as Philip's men came to the fore.

Cobos was both a personal secretary to Charles, providing advice over a range of issues and dealing with his correspondence when travelling, and *Secretario de Estado*,

¹⁸⁶ AGS, E, leg. 20, f. 172. Cardinal Tavera, 1530.

running a bureaucracy. Manuscript 1778 in the *Biblioteca Nacional* contains a large collection of letters to Cobos dealing with the complexity of everyday matters from a wide variety of people. In these letters Tavera mixes business and family matters. At this stage, their relationship appears warm, at least from Tavera's side, as we have no known surviving replies from Cobos. In undated letters Tavera describes the appointment of a *visitador* (auditor) to the *audiencia* of Granada, and his naming of *capelos* (chaplains) and *oidores* and the need for defences against Barbarossa. Tavera writes about the health of Cobos's wife and children, then delivers news about Cobos's family and describes his visits to Cobos's son, Diego, in Úbeda and to Doña Leonor.¹⁸⁷ These letters also deal with political issues such as the naming of justices for the *audiencia* of Granada, reporting on conflicts in the municipalities about the *alcabala*, and disputes between bishops. He also refers to the marriage of Juan Vázquez de Molina, Cobos's nephew and powerful client, and showers praises on him. This Ms 1778 contains a sample of letters received by Cobos and reveals the wide range of issues with which he had to deal. Given the competition for power with Tavera and later disputes, it is interesting to follow Tavera's solicitous concern for Cobos and his family. While this may be dismissed as empty rhetoric, it could have been sincere. The two men had been together since the court of Fernando and were bound together

¹⁸⁷ BN, Ms 1778, f. 165v. Cardenal Tavera, 'Juan Tavera Al Comendador Mayor Francisco de los Cobos, del Presidente sobre noticias familiares,' s.d.

by ties of common purpose and common interests in serving the emperor.

Curiously, Cobos supported the appointment of Tavera as archbishop of Toledo on the death of Fonseca in April of 1534. It probably was in that year that Cobos and his faction gained the upper hand. Cobos had been recommending the removal of the clergy from the Royal Council and the pope did not like the presence of the primate of Spain in the Royal Council because of potential conflict between clerical and temporal juridical functions. However, the immediate reason for Cobos's support was his need for the primate's agreement to his desire to acquire the *Adelantamiento de Cazorla*, which had belonged to Toledo since the 13th century. This has already been dealt with in detail in Chapter Two.

Tavera then named Cobos *Adelantado de Cazorla* in May 1534, making this Cobos's *anno mirabilis*. Conflict resumed on Tavera's refusal to make this appointment perpetual for Cobos's lineage, a matter of critical concern to Cobos. Cobos felt strong enough to by-pass Tavera and have both Charles and the pope ratify the *Adelantado* as a perpetual appointment in 1537. This led to a rupture in the relationship with Tavera and, as we have seen, the conflict worsened with the new primate, Silíceo, after Tavera's death in 1545.

Tavera suffered another setback in his failure to extend the *sisá* (per capita sales tax) to the nobility in

the Cortes of 1538-39. This resurrected the earlier differences with the nobility and they issued petitions to the emperor requesting his removal. That was done in 1539, after the death of the empress. The pope also favoured a move to Inquisitor General for Tavera to avoid conflict with temporal power, and Charles appointed him in December 1539 before he left on another campaign. Tavera continued to be consulted by the Royal Council and Charles issued an 'Instruction' to him as his regent from Madrid on 10 November 1539.¹⁸⁸ Tavera hardened the policy towards prohibited books on the Index, including the works of Erasmus, and forbade translations of the scriptures.

In 1543 the emperor left for Germany and gave the regency to Philip. He appointed Tavera, Cobos and Alba to advise his son. In his 'Secret Instruction' to Philip from Palamós, on 6 May 1543, he reminded him that Tavera and Cobos represented two opposing factions, 'que hay parcialidades entre sus servidores' (there are partialities [factions] among your servants). Their inclusion as advisors was an attempt to balance the influence of both.¹⁸⁹ While recommending he listen to their counsel, he warned Philip 'not to place yourself in the hands of any one counsellor'. He also advised Philip:

'Not to be deceived by the fraternal demonstrations of affection and show of harmony publicly displayed by his advisors: in private they will do precisely the opposite.'

¹⁸⁸ CDCV, II, pp. 43-55.

¹⁸⁹ CDCV, II, pp. 104-118.

Ernesto Schaffer wrote that J. M. March stated that this 'Secret Instruction' was an imperishable monument to Charles's sovereign perspicacity and profound knowledge of men.¹⁹⁰

In a most important manuscript 10300, folios 116-133, in the *Biblioteca Nacional*, a letter from Cobos to the emperor, there is a detailed analysis – assassination – by Cobos of the characters of other members of the Royal Council. If any proof was needed of Charles's advice this confirmed its wisdom. It was written, apparently, on 6 February 1543, three months before the 'Secret Instruction'. Comparing the styles of the two manuscripts there is a clear similarity in the assessments and warnings delivered by both men, which suggests Cobos's power and influence on the emperor. The historian Fernández-Santamaría has referred to these similarities. It purportedly was a response to the emperor's request for a report on Philip, but Cobos used the opportunity to influence the emperor's views on members of the council, many of whom were Cobos's rivals.¹⁹¹ Keniston finds 'some puzzling problems' about the dates of the letters, arguing that the emperor was not in Palamós on the date stated in Cobos's letter, which is a copy from the Osuna archive (probably 18th century).¹⁹² But, given the emperor's peripatetic style of governing, it is almost

¹⁹⁰ Dr. E. Schaffer, *El Consejo Real y Supremo de las Indias* (Seville, 1935), p.77.

¹⁹¹ J. A. Fernández-Santamaría, *The State, War, and Peace – Spanish Political Thought in the Renaissance, 1516-1559* (Cambridge, 1977), pp. 237-244.

¹⁹² Keniston, 268-269.

impossible to know where he was on a particular day or month. Although Vicente de Cadenas has made a valiant attempt from the Simancas archives to trace Charles's '*itinerarios, permanencias y despachos relevantes de su vida*.'¹⁹³ Dates of letters were often omitted from documents. The important point is the similarity of opinion pronounced by both men.

Many of the emperor's letters, even from as early as 1517, before his arrival in Spain, took the form of '*dandole instrucciones para el mejor gobierno de España hasta el momento en que llegue para tomar posesión de mis reinos*' (giving instructions for the better government of Spain before I come to take possession of my kingdoms). This was addressed to Cardinal Cisneros, the regent, from Brussels, 21 April 1517.¹⁹⁴ Cisneros suspected that it was drafted by Cobos, and it greatly displeased him. This phrase, '*dando instrucciones para el mejor gobierno*' was used in all of Charles's dynastic commands. During his absence from 1543 Charles appointed Fernando de Valdés president of the Royal Council and the emperor warned Philip about the rivalry between him and Tavera. Cobos supported Valdés to further weaken Tavera's influence. But the enmity between Cobos and Tavera is best illustrated in the manuscript containing Cobos's response to Charles's request for an opinion on his son and councillors. 'Tavera spent too much time trying to

¹⁹³ Vicente de Cadenas, *Diario del Emperador Carlos V. Itinerarios, Permanencias, Despachos, Sucesos y Efemerides Relevantes de su Vida* (Madrid, 1992).

¹⁹⁴ RAH, Salazar y Castro, Ms 198, 59729, h. 117 and 118. Carlos V El Emperador, 1517.

strengthen his client network.'¹⁹⁵ Tavera progressively lost influence at court for himself and his clients, many of whom left court. Cobos seems almost dismissive of Tavera in his letter to Charles of 5 May 1545 discussing various appointments 'se podría emplear el secretario Juan Vázquez [Cobos's nephew] como quiera que este cargo se ha de dar a voluntad del Cardenal de Toledo, Inquisidor General' (you could employ Juan Vázquez in the Inquisition, but I know you wish this post to be for the cardinal of Toledo).¹⁹⁶ He died in Valladolid on 1 August 1545 and was interred in the hospital de San Juan Bautista in Toledo. Ironically, this was his 'good work', begun in 1541, with perhaps a similar intent to Cobos's El Salvador: to escape from purgatory.

Cobos and Powerful Friends

Perhaps the best sources on Cobos, revealing diverse sides to his character, are the correspondence between him and powerful friends whom he had positioned in posts to provide him with a window on events at important centres outside of court. Several sets of such documents have been examined and among the more illuminating are the letters from Franciso de Borja, governor of Cataluña; Lope Hurtado de Mendoza, ambassador in Lisbon in the 1530s; Diego Hurtado de Mendoza from Venice and, later, Rome; and García de Loaysa, previously Charles's confessor, bishop of Sigüenza, from Rome.

¹⁹⁵ BN, Ms 10300, Osuna, Francisco de los Cobos, 'Copia de una carta de Francisco de los Cobos a Carlos V, sobre Felipe II y otros asuntos de gobierno,' 1543.

¹⁹⁶ *CDCV*, II, p. 387.

Francisco de Borja

Cobos seems to have felt a special affinity to Juan, the Duque de Gandía and above all, Francisco de Borja, Gandía's eldest son. Francisco's correspondence with Cobos is especially important for depicting relations with Cobos — both personal and high state policy — in the years when Cobos held sway.¹⁹⁷ In this regard his correspondence merits fuller discussion. The dukes of Gandía were crucial to Cobos and the emperor in defending a vulnerable Mediterranean coastline. From Barcelona to the towns of Gandía, Jávea and Alicante, Berbers under Barbarossa frequently attacked coastal villages carrying off people to work the galleys or to be imprisoned for ransom in Algiers. The dukes built formidable church/fortresses all along the coast for people to shelter. A visitor to Jávea would see a magnificent example of this military-style church. The Borjas — the italianised name of Borgia is more familiar to English speakers — as dukes of Gandía, were a Valencian nobility who had fought the *germanías* — the Valencian version of the Castilian *comuneros* — on Charles's behalf. Their property was looted and correspondence of Juan de Borja, the duke, with Charles and Cobos, listing robbed possessions from the *casa de Gandía*, eventually resulted in restitution *de los bienes robados* (stolen goods). Charles asked his *tesorero general*, on 31 January 1523, to compensate the duke and issue a *carta de pago* for his services in fighting the

¹⁹⁷ Jesu Societatis, ed., *Sanctus Borgia, Quartus Gandiae Dux*, 6 vols (Rome, 1903), II.

germanía.¹⁹⁸ The dukes of Gandía were inheritors of the ancient kingdom of Valencia with their principal residence in the ducal-palace of Gandía.

The Borjas were also close to the papacy and were Erasmian humanists, poets and writers, like many other of Cobos's friends. The pope, Alexander VI, Rodrigo de Borja, was Francisco's great uncle, and Paul III owed his papacy to Alexander. Pope Paul created Rodrigo and Enrique, two of the Duke's sons, cardinals, and no family was closer to the papacy. These links explain the emperor's privileges to the Borjas, and Cobos's solicitous correspondence and cultivation of the family, initially with Juan de Borja, the duke, and then with Francisco. The Zabálburu collection of manuscripts in Madrid has many letters from the duke to Cobos and others. On losing a loyal servant the duke writes to Cobos '*suelen olvidarse los hombres subiendo*' (you should forget men on the rise). No one could forget Cobos.

The duke was incessant in his letter-writing to friends and popes, seeking privileges for his family with growing success.¹⁹⁹ Apart from the cardinal's hat, other sons received *encomiendas* from the emperor. The Borjas saw these appointments as opportunities for serving the emperor, particularly in Rome. The duke wrote to Philip '*con ser cardenal y residir en Roma se han de ofrescer siempre cosas en que el pueda mostrar lo que desea servir a V. M.*' (as

¹⁹⁸ Ibid., p. 32.

¹⁹⁹ Zabálburu, M 22-23, Duque de Gandía, 1530.

cardinal residing in Rome there will always be opportunities to serve Your Majesty).²⁰⁰ Cobos's connection with the Borjas, both father and son, helped him to obtain the pope's bull of 1530, and in 1535 his *Adelantamiento de Cazorla*. Francisco de Borja, became *Marqués de Llombay* from 1529 until his father died. He assumed the dukedom in 1543.

Cobos had Francisco appointed *Virrey de Cataluña* (Viceroy and Governor) from 1539 to 1543. He became a Jesuit in 1543, and was sanctified in 1624. It is for this reason that we have a six volume collection of his letters prepared by the Society of Jesus, 1894-1911 — part of their 150 volume series on saints, *Monumenta Historicum Societatis Iesu, Romae*. Many of these letters and Cobos's replies are from original manuscripts in the Simancas archives, *Estado* section. They cover family correspondence between the elder duke and his wife with Cobos from 1529 to March 1545. MS 9/130, *Historia Genealogía de la ilustrísima y nobilísima Casa de Borja* has also been consulted in the Salazar y Castro collection in the *Real Academia de la Historia* by Ruig de la Peña, 1650, as well as the *Archivo de la Nobleza* in Toledo — the Osuna collection. This latter archive, *legajo* 1041, has seventeen original letters from Charles V to Borja, 1539 to 1543, and *legajo* 561, *caja* 13, 20-36. MS 2368 in the *Biblioteca Nacional* also has an exchange of letters between Francisco Borja and Cobos. The private library, *Biblioteca Zabálburu* — Miró and Altamira sections —

²⁰⁰ AGS, E 279, Duque de Gandía al Príncipe Felipe, 1540.

in Madrid has several letters between Cobos and Francisco de Borja, both when he was *Marqués de Llombay* and when he inherited the dukedom.²⁰¹ The *Archivo General de Simancas*, in its *Estado* section, also contains an important exchange of correspondence.²⁰² *Estado* 62 has letters from Cobos to the *Duque de Gandía*, and from the *Duquesa de Gandía* to Cobos. Of particular interest is the summary of letters from Borja, as *virrey de Cataluña*, to Charles V, prepared by Cobos and with his comments in the margins. Sometimes detailed as to the military dispositions taken by the viceroy, at other times a simple 'me ha parecido bien que se haga' (it seems good to me, go ahead).²⁰³ Many of Francisco's letters to Cobos were direct pleas for military help against revolts by *moriscos* and threats by the Turks and their French allies.

In 1529 Cobos arranged Francisco's marriage, *las capitulaciones matrimoniales* and the *dote* (dowry) at the request of the emperor, whose Portuguese wife Isabel asked him to find a husband for her favourite lady-in-waiting, Eleonor de Castro, a Portuguese, like herself. He negotiated the terms of the alliance with Francisco's father the *Duque de Gandía*. Cobos obtained a privilege for Francisco and his wife to enter the empress's service at court. The empress wrote to the *Duque de Gandía* that for don Francisco 'ella personalmente se encargaría de su acrescimiento y que siempre que le pidieran alguna merced hallarían en ella muy

²⁰¹ Zabálburu, Miro, Z 119, 163, Marqués de Llombay a Cobos, 1539.

²⁰² AGS, E, 167, 169, 279, 289, Virrey de Cataluña a S. M., 1539.

²⁰³ AGS, E, 62.

entera voluntad' (she personally would take charge of his advancement and, whenever he asked for a favour, he would find in her full support).²⁰⁴ Charles immediately granted him the title *Marqués de Llombay*. This process of arranging marriages was part of Charles's and Cobos's policy of controlling the matrimonial links of the nobility.²⁰⁵

In fact no noble could marry without the emperor's consent. His purpose was to avoid the formation of all-powerful independent families; *los grandes* were *primos* (cousins), part of an extended family. With Francisco, Cobos had succeeded in placing a further client in the queen's household. These already included his wife and their children, Diego and María, as well as brothers of his wife and his nephew, Vázquez de Molina. Ruy Gómez de Silva, Eleonor's Portuguese cousin, was also there as a close companion to Philip, later to be called *el Cobos de príncipe Felipe*. The emperor left to Isabel, regent from 1529-1533, the implementation and control of noble alliances. Cobos, through his family within the palace, was able to influence these decisions. Francisco and the others were in frequent correspondence with him over this. While viceroy of *Cataluña*, Francisco also engaged in matrimonial politics in the region under his control, implementing the emperor's wishes.²⁰⁶

²⁰⁴ Toledo, Archivo de la Nobleza, Osuna, 13, 21, La emperatriz al duque de Gandia, 1529.

²⁰⁵ Martínez Millán, ed., *La Corte de Carlos V*, Vol. II, p. 96.

²⁰⁶ Toledo, Archivo de la Nobleza, Osuna, legs. 13, 31, Marqués de Llombay al emperador, 1542.

In his Borja correspondence Cobos once again mixes affairs of state with family concerns. There are many letters, almost daily, from 1540 from Francisco — he had been appointed viceroy of *Cataluña* by Charles in 1539 — seeking Cobos's military help to defend the coast against Berbers and the Turks, and to put down a revolt by *moriscos* in Valencia where they outnumbered 'Old Christians' until their expulsion. Borja's letters were frequently seeking more naval craft to defend and intercept marauders. Philip was regent from 1539 to 1543, but too young to rule. He was therefore advised by Tavera, Cobos, Alba and Juan de Zúñiga. The latter had been his tutor. The letters from Francisco Borja to Tavera were formal, concerning military matters and to be read by the *Consejos de Estado y de Guerra*; by contrast the letters to Cobos were for his personal perusal.

Barcelona was a military centre of great importance for the empire, situated halfway between Valladolid and Rome. It protected the vulnerable Pyrenean frontier from continuous French incursions, and defended against coastal attacks from France's Turkish and Berber allies. Imperial mail concerning events in this entire region passed through the viceroy's office. Coastal ports had to be protected and information acquired from docking ships — Barcelona was a hotbed of espionage on imperial affairs.²⁰⁷ Francisco wrote to his father, the *Duque de Gandía*, alerting him to a possible attack on Valencia by the galleys of Barbarossa, aided by

²⁰⁷ AGS, E 289, 33-42, Marqués de Llombay al emperador, 1542.

moriscos, always a possible Ottoman fifth-column.²⁰⁸ In addition, there was often concern about a joint French/Turkish invasion of the coast, given their alliance against Charles. In this regard, Francisco describes arrangements to move vulnerable population and nuns to different convents and to the fortress-style churches in Gandía and Jávea.

By the early 1540s, Francisco was well informed of international events by Cobos.²⁰⁹ But after the failure of the emperor's expedition to Algiers in the autumn of 1541, Francisco's letters to Cobos reveal a criticism of the emperor's policies of fighting on so many fronts: the Turks, the French and the Lutherans. This is shown by the following extract:

escusare yo de decirlo, aunque siempre parece que estará mejor el Turco en Constantinopla que no en Belgrado, verdad es que se pueda esperar cada dia mayor daño si la reformación de la Iglesia no sucede como es menester, y si uno particularmente no echa de su casa y de su conciencia los enemigos spirituales, porque estos son los que dan la Victoria al Turco ... Por lo mucho que importa encaminar esto que digo lo escribo a vuestra señoría, porque sé el celo que tiene el bien común y particular (excuse me for saying so, although it always seems better to have the Turk in Constantinople than in Belgrade, it is true that one can expect more harm if the reform of the church does not succeed as necessary, and if one particularly does not throw out of his house and of his conscience spiritual enemies, because it is this that gives victory to the Turks ... for the significance I give to this I write to your señoría, for I know the importance you give to the common weal).

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²⁰⁸ A. C. Hess, 'The Moriscos: an Ottoman fifth column in sixteenth century Spain,' *American History Review*, no. 74 (1968).

²⁰⁹ *Societatis*, ed., pp. 44-77.

²¹⁰ AGS, E, 280, 145, Marqués de Llombay a Cobos, 1541.

For Francisco Borja, the fight against the Turk and reform of the church, he believed, began with internal spiritual reform. In this he may have been a visionary, but he was following Erasmus's call for a united church to confront the Turk and, perhaps, also advice from his Jesuit friend Ignatius Loyola. The emperor also called for universal Christian orthodoxy, but was not prepared to compromise with Lutheran demands. Charles's discourse in the 1520s was influenced by Erasmians like Gattinara and Valdés, but this may have been rhetoric – the reality was a need to legitimise his dynasty and expand his patrimony. By the 1540s empire and universal Christianity were more obviously a tool for his dynastic ambitions.

Borja was hopeful of positive results from the meeting between Charles and Pope Paul III, in October 1541, concerning religious schism in Europe.²¹¹ French pressure and joint attacks with the Turks, their allies, intensified after the defeat of Algiers, and caused Cobos to seek further means of financing for the growing burden of military expenditure. Borja's viceroyalty was ended in 1543 as military preparations were undertaken for another war against France. The *Duque de Alba* was appointed *Capitán General* to resist the French invasion. The emperor believed, or had the idea implanted, that Borja '*no era un buen militar*' (Borja was not a good soldier). Alba insisted on complete military authority in all regions and therefore was

²¹¹ AGS, E, 145.

in conflict with Borja, and Cobos had suggested to the emperor that Borja be moved to the prince's court as *domo-mayor* (major-domo).²¹² Charles had issued his famous 'Instruction' – his political testament – to Philip while in Barcelona in 1543, and Cobos was concerned to ensure that he would be well served among the new men around Philip. Charles may also have wished to clip the wings of a very powerful viceroy and to take back into the royal *realengo* (royal territories) certain *señoríos* in the strategic frontier territories.²¹³

Francisco's letters to the empress and those of his Portuguese wife show deep affection. He led Isabel's funeral cortège at Granada in 1539 when the emperor fled in grief to a monastery. He paid for the celebration of a yearly mass on the anniversary of Isabel's death. He had received many *mercedes* from her. He became a Jesuit two months after the death of his wife in 1546. His spiritual conversion seems to have dated from these twin events. The recently opened Moneo extension to the Prado Museum in Madrid has enabled the hanging of many 19th century paintings previously hidden away in the depository. Many of them depict a 19th century view of characters from Spain's Golden Age. One such, is a very large canvas by José Moreno Carbonero, entitled *Conversión del Duque Gandía*, 1884. It depicts the open coffin of the empress and Francisco de Borja, now Duke of Gandía, in a black cloak embracing an armoured knight – possibly Loyola –

²¹² Ibid, p. 287

²¹³ Ibid, p. 289

in his sorrow. The story of his conversion was well known in the 19th century.

Affection and love for the empress was a connection between the emperor, Borja and Cobos. Cobos's wife, María, served her at court, as did Cobos's favourite nephew, Juan Vázquez. But Borja was more deeply and spiritually affected. Leone Leoni's statues, now superbly displayed in the cloister of the Prado's extension, show the beauty of Isabel, which we already knew from Titian's portrait. He began a programme of good works, repairing the hospital in Gandía, building schools, a Jesuit college and convents. He also asked, in his testament of 1547, for *sufragios* (good works for a soul in purgatory) for his great uncle, Pope Alexander VI, the Borgia pope. He renounced his title, which he had acquired on the death of his father on 8 January 1543, and *señoríos* to Charles, who still called him *ilustre duque primo*. He could renounce his *bienes* (wordly goods) but not his lineage – his condition of nobility – only the emperor could relieve him of that. He became the third General of the Society in 1565. Cobos, who died one year after Francisco's conversion to a Jesuit, was much influenced by him. Their relationship, depicted in their extensive correspondence, throws an important light on Cobos's nature. He is not the one-dimensional *sin culto* (philistine) of some accounts, and seems to have shared a spiritual bond with Francisco, if not the same religious fervour. His own acts of 'good works' followed Francisco's example, albeit posthumously. The Renaissance chapel of El

Salvador recognises purgatory and it is Cobos's acknowledgement of faith, perhaps in the Erasmian mould rather than the emerging tridentate orthodoxy.

Diego Hurtado de Mendoza, el Segundo Conde de Tendilla

Diego, like the Borjas, came from an extensive noble family imbued by humanist ideas, which are well described by Helen Nader.²¹⁴ The family's power came from the Duke of Infantado's alliance with Isabel in the 15th century civil wars. However, the inestimable genealogical investigation by Antonio Matilla Tascón in the protocols of nobility show an earlier Hurtado de Mendoza as the son of Queen Urraca, an 11th century monarch.²¹⁵ Subsequent Hurtado de Mendozas were *consejeros* to kings, *ayos* (tutors) to princes, courtiers and warriors. The Hurtado de Mendozas were secure in their lineage. Thus later accusations of *marrano* (Jewish) origins had little relevance to them. The family letters in the Osuna section of the *Archivo de la Nobleza* in Toledo show a high interest in literature and intellectual inquiry throughout the family. They also show a diversity of belief within the tradition of the church. They rejected the scholasticism of the Castilian *colegios mayores* (elite graduate schools) which believed in theological correctness – 'correct' (i.e. orthodox) religious practices – and taught

²¹⁴ Helen Nader, *The Mendoza Family in the Spanish Renaissance, 1350-1550* (Camden NJ, 1979).

²¹⁵ Antonio Matilla Tascón, *Documentos notariales de nobles* (Madrid, 1987).

rhetoric arguing to 'incontrovertible conclusions.'²¹⁶ Many family papers were copied by Luis de Salazar y Castro in the eighteenth century, and were consulted in the Real Academia de Historia.

Cardenal Pedro González de Mendoza (*el Gran Cardenal*) was named archbishop of Toledo by Isabel in 1485 and she appointed his brother, Diego Hurtado de Mendoza as *Adelantado de Cazorla*, a position within the domain of Toledo until Cobos acquired it. This earlier Diego was uncle to Cobos's friend and possessed Cazorla, which Cobos coveted. Cobos's first concern was to emulate the landed nobility — to build a landed estate for his first-born, also named Diego, acquire *mercedes* and advance his family, securing their legal hold on estates with noble titles. Closeness to Castile's oldest family, the Mendozas, was important to Cobos. Hereditary titles were usually associated with *mayorazgos* (entailed estates). This explains Cobos's tenacity over Cazorla, as he could not acquire nobility directly, and relied on his son's marriage and subsequent possession of a *mayorazgo* to continue the family line. Helen Nader extensively researched these sources on the Mendozas and the notarial documents.

In *Vida y Obras de Don Diego Hurtado de Mendoza*, there is an extensive record of correspondence with Cobos which

²¹⁶ Richard L. Kagan, *Students and Society in Early Modern Spain* (Baltimore, 1974).

throws light upon another aspect of his character.²¹⁷ Letters from Diego describe Cobos's adventures in Venice. They confirm Charles's 'Secret Instruction' of 6 May 1543 to Philip warning him that Cobos was a womaniser. Charles knew his personality: 'era un hombre fiel y de experiencia, tan solo le fallaba las pasiones, era un grandísimo mujeriego' (he was a faithful and experienced servant, his only weakness was his passions, he was a great womaniser).²¹⁸

Diego was a poet, writer, diplomat and warrior – the kind of character Cobos perhaps would have wished for himself. Together they accompanied the emperor on the Tunis expedition, where Charles gave Cobos the rich silks which adorned Barbarossa's campaign tent as well as three carpets, which later appear in Cobos's *testamento*. But most importantly, Cobos's association with the Mendoza family – and his wife was a Mendoza – the Borjas and others, makes it difficult to believe Keniston's statement that he was without culture. He was neither a *letrado* nor a noble, but enhanced his status through marriage, and the political patronage of the emperor. He was obsessed with acquiring wealth, but also desired the companionship of the most cultivated of the nobility. Cobos's ambition was typical of his period, but he also surrounded himself with humanist friends and patronised the arts. Collecting paintings implied a personal connection with illustrious artists.

²¹⁷ Angel González Palencia, ed., *Vida y Obras de Don Diego Hurtado de Mendoza*, 3 vols. (Madrid, 1942).

²¹⁸ CDCV, II, p. 110.

Popes and kings saw themselves as statesmen, warriors and patrons of the arts — why not Cobos?

Diego's father, the first *Conde de Tendilla*, as viceroy for newly-conquered Granada, had early conflicts with Lope Conchillos and the rising Cobos over their attempt to impose the legal power of the *audiencia* in Granada. He complained to Cisneros and King Fernando about the avarice of Conchillos 'y el rapaz de Cobos' (the rapaciousness of Cobos). The letters from Tendilla to his agent at court, Francisco Ortiz, 1514-1515, from the Osuna collection, Ms 3406, were copied in the eighteenth century by the *Marqués de Mondéjar*.²¹⁹ The *Biblioteca Nacional* also has a manuscript, in which Tendilla writes to his agent that Conchillos and Cobos were interfering in his administration and demanding money. He continues:

El costado abierto por Zapato y Cobos.' [Cobos was ungrateful] 'Aviendo yo hecho por Cobos mas que ningún del reyno porque yo le hize dar la contaduría de Granada ... y le he hecho otras buenas obras que no cuento aquí ... al señor comendador mayor de Calatrava dezi leeys con quanto estudio trabajan Conchillos y Cobos por su parte por enemistarme (My ribs have been opened by Zapato and Cobos. I have done more for Cobos than anyone in the kingdom because I gave him the accountancy of Granada ... and I did other things for him which I will not recount here ... you can tell the Comendador Mayor of Calatrava that Conchillos and Cobos work to make me their enemy).²²⁰

In writing to his secretary at court, on 12 May 1515, he said that his authority in Granada was 'usurped by those who

²¹⁹ Toledo, Osuna, Ms 3406, Marqués de Mondéjar, Conde de Tendilla, 7 July, 1515, letter from Tendilla to agent Ortiz.

²²⁰ BN, Osuna, Ms 3315.

had the King's pen,' a probable reference to Lope Conchillos, Cobos's chief.²²¹

With the death of King Fernando in 1515, Tendilla was losing influence and the new men among the royal secretaries, such as Cobos and Conchillos, had become hostile. His favours and patronage to Cobos and bribes to Conchillos had not won them over — his letters reflect his bitterness. Borja's aphorism about not trusting men on the rise was not heeded. Tendilla had been an ambassador to Pope Innocent VIII and was close to Rodrigo Borja, the papal chancellor who had helped to negotiate an alliance between the Mendozas and the Catholic Kings. He also completed 'good works,' building schools, founding hospitals, and churches, like the Borjas and other Renaissance humanists of the time on whom Cobos modelled himself. But there was a distinction between 'good works' and the motives, which prompted them. Cobos, although following the common practice among nobility of doing 'good works,' was perhaps guilty of 'works without faith.' He must have been aware of the arguments between Luther and the Spanish church on the issues of 'justification.' Certainly his friendship with Tendilla's youngest son, Diego Hurtado de Mendoza, ambassador to Venice and then Rome, would have made him aware of the debate. Tendilla was frustrated by the 'rising men' who disregarded his distinguished career. Lacking King Fernando's patronage,

²²¹ Ibid., Marqués de Mondéjar Conde de Tendilla, Copiador de cartas por el Marqués de Mondéjar, 1513-1515.

he was abandoned. Power had moved from the 'old' nobility to a new class of secretaries, such as Cobos.

Cardenal Cisneros also seems to have suffered from the manoeuvrings of Conchillos and Cobos. When Cobos was made secretary in 1517 — he already supervised the *libros de cuenta y razón* (accounting books) — he wrote to Cisneros ordering the immediate payment of 100,000 ducats to the emperor and for all the court's ordinary expenses to be paid from monies collected by the archbishop during his regency. This was a slur on the worthy cardinal. But it may have been effective in leading to a rupture between the aging cardinal and the king. Bartolomé de Las Casas accused Cobos of creating this rupture. They were later to cross swords over Las Casas's wish to improve the treatment of American Indians.²²² Cobos was responsible for Las Casas's interrogation in 1519. Cobos was to live to see the manoeuvrings of another generation in the 1540s, as the emperor's son moved his court into positions of influence, and power changed with royal authority.

The irony is that Tendilla's youngest son became very close to Cobos, particularly when imperial ambassador to Venice, 1539-46. Cobos obtained this appointment for Diego after first offering him the viceroyalty of Mexico. This post then went to Antonio de Mendoza, his brother, who became Mexico's first viceroy as well as the client of Cobos who thereby extended his tentacles to the New World. Diego

²²² Lewis Hanke, *Bartolomé de las Casas, 1474-1566, bibliografía, crítica, y cuerpo de materiales para el estudio de su vida* (Santiago de Chile, 1954).

described himself and his brothers Antonio and Bernardo, President of the Council of the Indies, 1545, as *hechuras* (henchmen) of Cobos.²²³ Antonio introduced the printing press to the New World and founded the first university there. Cobos moved Diego to be ambassador at Rome in 1546. Carande quotes a letter from Cobos to Charles, 8 July 1543, about a merchant's loan that he asks Figueroa, Charles's ambassador in Genoa, to repay on behalf of Diego.²²⁴ Was this some indiscretion? At a later date Diego was appointed by Charles as imperial legate to the Council of Trent, where he tried unsuccessfully to negotiate reforms of the Church hierarchy. The Spanish theologians preferred a decision on the Church's position on 'justification by faith' – Luther's contentious issue. So the followers of absolute truth won the argument, rather than a humanist like Diego who thought that 'it is better to will the good, than to know the truth' (Petrarch). By knowing so much about the thoughts of the Mendozas and Borjas we perhaps get closer to understanding Cobos's world-view.

Diego followed in his father's tradition, with his interest in the humanities. He was fluent in Latin, Greek and Arabic. He wrote poetry and history and translated Aristotle into Spanish. Like Erasmus he went to the original sources for his translations, correcting errors. He was '*un hombre culto*' of the Spanish Renaissance and had studied in

²²³ BN, Ms 10459, Diego Hurtado de Mendoza, *Cartas a diversas personas*, 1544.

²²⁴ Ramón Carande, *Carlos V y Sus Banqueros: Los Caminos del Oro y de la Plata* (Barcelona, 1987), II, p. 247.

Granada with Peter Martyr — of *De Orbe Novo* fame — who received a pension from Diego's father.²²⁵ Martyr's *Opus Epistolarum* has extensive correspondence with Tendilla. Martyr followed the works and teachings of Erasmus and had considerable influence on Spanish culture through his contacts at court. He helped a generation of young Spaniards to study Greek and Latin at court rather than going to schools in Italy. The *Epistolario de Don Diego Hurtado de Mendoza: Vida y Obras*, collected in three volumes from the *Archivo General de Simancas* provide the correspondence showing a sharing of interests between Cobos and the much younger Diego (born 1503).²²⁶ This collection illustrates the qualities Cobos so much admired in his friend — a combination of scholar and adventurer. They accompanied the emperor on the successful Tunis expedition of 1535 together with another adventurer, Luis de Zúñiga. Cobos loved adventurers: he often referred to the book *Un libro de mi vida*, a book about the adventures of Álvaro de Guzmán, and he had a business partnership in Guatemala with the ruthless, swashbuckling lieutenant of Cortés, Pedro de Alvarado, the *Adelantado* of Guatemala, whom he married to his cousin in Úbeda, Doña Beatriz de la Cueva. Diego's book on the functioning of councils, *Sobre el modo de deliberar en los Consejos* (how to debate in councils) seems modelled

²²⁵ Peter Martyr, *De Orbe Novo* 1511.

²²⁶ Angel González Palencia, ed., *Vida y Obras*.

on Cobos's method of governing.²²⁷ Their letters are intimate and jocular and show Cobos, not as the ascetic councillor, the prudent man, much commented upon by chroniclers.

While in Venice, Mendoza was introduced to Titian by Pedro Aretino, a man who made his living blackmailing prominent people into giving him annuities.²²⁸ A collection of 816 letters addressed to Aretino (1492-1556) by, among others, Charles V, Michelangelo and Titian has been recently acquired by the John Carter Brown Library, Providence, Rhode Island. Sampling a few of them shows that scurrilous broadsheets would be printed and widely disseminated if people failed to oblige him. Charles V thought it better to employ him to blacken Francis I in their eternal propaganda war. Aretino was often an intermediary between Cobos and Mendoza and the circle of Venetian painters. They saw themselves as patrons and exchanged information on painters such as Titian, Tintoretto and Veronese. Through Cobos, Mendoza and Aretino, Titian was commissioned to paint a portrait of the dead empress, Isabel, which can be seen in the Prado Museum. Titian also painted Diego (in the Galleria Pitti, Florence). Diego writes to Cobos 'Estoy bueno y hermoso y por esto el retrato no irá, quiza, tan feo como V. S. se piensa' (I am so good and handsome that the portrait will surprise you; I am not as ugly as you think).²²⁹ Given

²²⁷ Paris, Bibliothèque National, Ms Esp. 143, ff. 73-82v, Diego Hurtado de Mendoza, *Sobre el modo de deliberar en los Consejos*, 1540.

²²⁸ Pietro Aretino, *Lettere scritte al Signor Pietro Aretino*, ed. Francesco Marcolini (Venice, 1552).

²²⁹ AGS, E, leg. 1316, f. 128. Hurtado de Mendoza al Comendador Mayor, 1540.

Cobos's practice of obtaining the best, it is possible that Cobos also commissioned a portrait to copy his friend and conform to the emperor's taste. But the only ones extant are one in the Titian style in the *Casa de Pilatos* at Seville and a Dutch painting in the Getty Museum in Los Angeles. The Seville painting, in the Duchess of Medinaceli's collection, is full-length with Cobos dressed in a gold-edged embroidered cloak and suit bearing the insignia of the Order of Santiago. He wears a decorated black cap. The inscription reads: 'Fr. de los Cobos, Comendador Mayor de León'. A digital picture is shown below.



We can compare this with the Getty painting by Jan Gossaert, below.²³⁰



The *Biblioteca Nacional* has a transparency of the Seville picture in the *Bellas Artes* section, *Iconografía Española*.²³¹ But its authenticity may be doubted. He is a more majestic figure in his robes, but the face is very different from the Getty portrait. It is also noticeable that the pearl-studded brooch he is holding is not the Santiago shell – the *venera* or emblem of his Order – that he wears in the Dutch painting. The last Marquis of Camarasa died in Los Angeles in 1948. He had held on to the Dutch portrait of his ancestor, and Getty acquired it on the marquis's death. The Seville painting – so-called Titian style – was brought by the Medinaceli family to Seville from Úbeda when they absorbed the Camarasa title in the 1940s. Sotheby's valued it in 2002 at between 2,000 and 3,000 pounds sterling, according to the curator's inventory.

²³⁰ Los Angeles, J. Paul Getty Museum, Jan Gossaert, *Retrato de Francisco de los Cobos y Molina*, c. 1530-1532.

²³¹ BN, *Bellas Artes*, Valentín Carderera, *D. Francisco de los Cobos y Molina, Comendador Mayor de León*, 1885-1884.

Cobos and Diego were certainly in the circle of Venetian painters, critics, and patrons. They saw themselves as patrons, often with Aretino as their intermediary, and exchanged information on painters such as Titian, Veronese and Tintoretto. Tintoretto had painted Apollo and Marsyas celebrating the rise of Aretino in Venetian artistic circles. Veronese had painted the 'Youth between Virtue and Vice,' depicting two roads offered man from childhood: vice and virtue. Vice has the form of a Venetian *cortesana*, the iconography of the time — redhaired, bejewelled, exposed bust — virtue is crowned with a laurel as the symbol from antiquity. Cobos and Diego would have known this painting and chose the world of Venetian *cortesanas* knowing that they were chasing vice, but with redemption in the next life through their 'good works.'

Redemption was always a feature of their political thought. Diego wrote love poetry to Leonor Gonzaga, the daughter of Marquis Francesco Gonzaga of Mantua and Isabel d'Este, who were also connected to the Borjas. Castiglione writes about her in *Il Cortesano*. The Venetian *cortesanas* occupied Diego and he continually reminds Cobos of their affairs and encourages further visits in letters during 1540.²³² But he was also a scholar and Cobos may have envied him his command of Greek, Latin, and Arabic. Diego collected rare Greek manuscripts and his library was donated to Philip

²³² Antonio González Palencia, *Vida y Obras de Don Diego Hurtado de Mendoza*, III, pp. 284-285.

II's *El Escorial* library. C. Gesner, *Bibliotheca Universalis* (Zurich, 1545) printed Diego's catalogue.

While in Venice, after a dispute with Aretino, there appeared satirical poems against Diego 'quel don Hurtado arcimarrano' (Hurtado, archjew). This, through repetition, has given rise to the belief that he was a *converso*. However, although Diego was tolerant of religious differences and had grown up among *moriscos*, he was an imperial ambassador representing Charles's views to a foreign court. It is doubtful that he would practice unorthodox rituals and more probable that after he refused to increase an annuity to Aretino, the latter spread false rumours about his ancestry.

Lope Hurtado de Mendoza

Diplomatic correspondence is a necessary source of contemporary comment and helpful in glimpsing the thought and mentality of the period. Salinas, the ambassador of the emperor's brother, is quoted often by Keniston, as are the Venetian ambassadors. Lope Hurtado de Mendoza, one of Diego's brothers, was ambassador to Lisbon from 1529 to 1532. As such, his letters to Charles V, the empress, Tavera — as President of the Royal Council — and Cobos, illustrate the importance of the Portuguese alliance. The Gulbenkian Foundation library in Lisbon has preserved this correspondence. In addition, the Zabálburu private library in Madrid has manuscripts of letters from and to Lope

Hurtado de Mendoza and Juan Vázquez de Molina.²³³ Juan Vázquez was attached to the empress's court and was Cobos's nephew and client within that court. Juan Vázquez is named in the empress's *testamento*.²³⁴

The Habsburg matrimonial alliances were the object of a carefully calculated territorial strategy. Isabel of Portugal, who married Charles in 1526, came with a fabulous dowry of 900,000 ducats of gold. As she acted as regent from 1528 to 1533 there is an extensive exchange of letters between her and Lope Hurtado. His letters frequently deal with Spanish/Portuguese negotiations. After Magellan's circumnavigation Charles gave up the Moluccas to Portugal for a large sum, thus tidying up most of the outstanding issues remaining from the 1494 Treaty of Tordesillas, which had divided up the world with papal blessing. Lope Hurtado's letter 'al muy magnífico señor Francisco de los Cobos, secretario y del Consejo de S. M.' of 31 March 1529, indicates Cobos's role in negotiating the financial payment for the Moluccas, given the 'emperor's great need.'²³⁵ From 1530 such letters to Cobos addressed him as, 'muy magnífico señor el Comendador Mayor de León, secretario y del Consejo de S. M. mi señor' (to the very magnificent Comendador Mayor of León, secretary and of the council of His Majesty). Letters are exchanged from March 1528 to June 1529 about the

²³³ Madrid, Zabálburu, Miró 14, 15, D 356, 361, 382, Lope Hurtado de Mendoza a Juan Vázquez Molina, 1529-1532.

²³⁴ Zabálburu, Altamira, D 62, La Reina Isabel, Testamento.

²³⁵ Aude Viaud, ed., *Correspondance d'un Ambassadeur Castillan au Portugal dans les années 1530. Don Lope Hurtado de Mendoza*, 1 vol. (Paris, 2001), p. 341.

Moluccas sale. The continual conflict with Francis I is also an important topic as the emperor seeks the assistance of Portugal's still powerful navy against French corsairs and Barbary pirates. And the Portuguese sought Charles's help against the French incursions in Brazil. Charles was brother-in-law to Don Joao III. Philip II also married a Portuguese princess. Thus the genealogical connection was strong.

This glimpse of Cobos's correspondence with powerful friends is limited by its largely one-sided nature. There is a danger of generalising from partial documents, which may be partial assessments relating to particular events. However, the data does demonstrate Cobos's concern with events beyond secretarial work at court. And cumulatively, we do get a qualitative idea of the evolution of Cobos's power and influence and his large dimension in the affairs of the emperor. It was important for him to have clients well placed at important diplomatic posts - particularly those close to the papacy - as well as at strategic regional viceroyalties, where the security of the emperor's patrimony was at risk. His rise to power may have been the result of his mastery of the administrative machinery of Castile, but his retention and consolidation of that power depended on his network and alliances with friends in powerful places. The correspondence with Cobos illustrates the importance of seeking his approval and his actions among the complex of powerful characters in which he moved.

The developing administrative complexity of the empire required reforms of public policy, particularly with regard to fiscal issues. However, Cobos did not deal with this to reinforce the authority of the state — a concept more appropriate to a later period. His concern was meeting the financial needs of the emperor, who saw Cobos's service in personal terms, as a dynastic servant, an extension of his patrimony, family and dynasty. Gattinara had wanted improvements in administration to serve the increasing complexity of empire, but Charles and Cobos preferred the personal methods of government. Money and finance were at the centre of the emperor's confidence in Cobos and therefore were the means by which Cobos transformed trust and confidence into political power. As long as Cobos delivered to Charles, he held the emperor's esteem. War required more finance — the sinews of empire — but Cobos and the Fuggers were always there with a banker's draft. Cobos's victory over Gattinara was essentially a Pyrrhic one. Longer term, Gattinara's proposed reforms might have changed the balance between economic and political power by sharing the burdens of imperial policy and thus avoiding the bankruptcy of 1557. This financial question, upon which some of Cobos's most important policies can be discerned, will now be examined.

Chapter Four

The Finance of Empire

Securing Funds for War: the role of Cobos

Finance has not simply been one more means of government, but the essential basis of its action. Financial dominance makes politics possible.²³⁶

Imperial power without credit lacks foundations.²³⁷

In tackling finance of this period the importance of the work of Ladero Quesada on the forms of financing and institutions in 15th century Castile must be acknowledged. These were the foundations inherited by Charles V and Cobos, and provide an essential resource to understand how Cobos harnessed them to meet his emperor's needs. The work of Ramón Carande on the *asientos* (contracts) found in the archives of Simancas is another essential contribution towards advancing our understanding of the documentary complexity of the financial accounts in Castile's *Hacienda*.

It is doubtful that Charles placed finance as the driver of imperial policy in Ladero Quesada's meaning; for him policy came first and finance would be found. He did, however, realise the importance of credit as the key to much of his war policy, and war was a means of dynastic policy. This is reflected in the second quote from Carande's classic

²³⁶ M. A. Ladero Quesada, *La Hacienda real de Castilla en el siglo XV* (Seville, 1973), p.

9.

²³⁷ Ramón Carande, *Carlos V y Sus Banqueros*, 3 vols (Barcelona, 1987), III, p. 247.

on *Charles V and His Bankers*. Ehrenberg describes credit as '*pecunia nervus belli*' (money is the sinews of war). 'Demand for capital for war purposes,' he writes, 'caused a transition from barter exchange to money and credit and the growth of the large German and Italian financial magnates.'²³⁸ Bodin was to write later about France in the 16th century that, 'the sinews of the state are in its finances.'²³⁹ It was the beginning of the growth of large accumulations of capital and the development of finance capitalism through credit. Soldiers had to be paid in gold and this necessitated credit. Charles wrote to his son Philip as part of his Political Testament of 1548:

That the fundamental principal to sustain war is money and credit and without this you can do nothing. It is from finance that one can receive the most harm and the most advantage for my projects. You should favour finance over everything.²⁴⁰

He repeated this advice in 1553 when his credit was in doubt, raising money was extremely difficult, and his financial secretary, Cobos, was dead.²⁴¹

Time and again Charles failed to consolidate his victories due to lack of money. Thus, after the capture of Francis I at Pavía, on 24 February 1526, and his later success against the Lutherans at Mühlberg, where he captured Frederick of Saxony, on 24 April 1547, he failed to achieve

²³⁸ Richard Ehrenberg, *Capital and Finance in the Age of the Renaissance: a study of the Fuggers and their connections* (New York, 1928), p. 21.

²³⁹ Jean Bodin, *Les six livres de la République*, 6 vols. (Paris, 1986), VI, p. 35.

²⁴⁰ *Corpus Documental de Carlos V*, ed. Manuel Fernández Álvarez, 6 vols (Madrid, 2003), III, pp. 578-592.

²⁴¹ *Ibid*, III, pp. 594.

a conclusive or decisive resolution of these conflicts.²⁴² The Mühlberg triumph over the Protestant League in 1547 probably represented his apogee of power. This was celebrated in Titian's famous equestrian painting where he is wearing full armour with a figure of Christ on the breastplate and holding a Roman lance; Charles in heroic majesty, both as Christian and Roman warrior, showing gravity in victory. Leone Leoni's sculpture in bronze celebrating the same event shows him in full armour stamping on heresy.

Given the importance of finance, how did Cobos, as *Secretario de Hacienda*, manage this need for money? What was his influence on Charles's financial policies? To what extent were they in fact Cobos's policies, or was he a man who simply processed rather than initiated policy? This chapter and the next one will seek to answer these questions. It will also show his centrality to the financing of Castile, and thus to the emperor's imperial policies, and his role in managing imperial finances – with emphasis on strategy and tactics. Although Cobos's importance has often been recognised by historians, it has been in the context of other themes and almost as an afterward. Historians have not yet investigated his central role in the finance of imperial policies.

The thesis will examine Cobos's role in negotiating with the *Cortes*, as the source of the *servicios* – Castile's

²⁴² BN, Ms 1751. Papeles tocante al emperador.

main revenues from the municipalities. There was no 'fiscal absolutism' in Castile and it was important to deal with the *Cortes*. The *servicios* were linked to the extension of bankers' credit – as the principal form of security – through the *asientos*: the bankers' contracts that Carande so diligently studied in his major book on Castilian finance.²⁴³ Given the importance of these *asientos* Chapter Five will be devoted to that topic. This nexus between *servicios* and *asientos* can be considered as Cobos's main contribution to the finance of empire and his role has not hitherto been researched by historians.

But first, what were Charles's stated financial policies? The broader European context is essential here, especially the increasing needs of modern warfare. Cardinal Wolsey had introduced the 'subsidy' in Henry VIII's England, and the Italian cities and France had sought and introduced new ways to fund wars. France had the direct tax, the *taille*, extraordinary taxes from the Estates General and often interest-free forced-loans from the merchant classes. The dynastic Habsburg-Valois conflict created larger armies and stronger fortifications to withstand cannon fire, necessitating long siege-work, garrisoning, and military innovation.²⁴⁴ The larger mercenary armies could bargain for higher wages and cease fighting or run amock and loot – as

²⁴³ Carande.

²⁴⁴ Geoffrey Parker, *The Military Revolution: Military Innovation and the Rise of the West, 1500-1800* (Cambridge, 1996).

in the sack of Rome — if not paid on time.²⁴⁵ They were responsible to the Condottieri, the professional military contractors who recruited them, not to the emperor. Some fifty per cent of the U.S.'s non-combat military in Iraq is contracted from mercenary forces according to a Congressional investigation into the role of the private company Blackwater in the killings of Iraqi civilians — they too appear to have run amock. Mia Rodríguez-Salgado argues that 'war was an imperative imposed on Charles V and Francis I by dynastic imperatives or personal and political ambitions.'²⁴⁶ Thus Charles was compelled to defend his scattered patrimony from Milan, Franche Comté, the Netherlands and his Castilian Pyrenean frontier (Fuenterrabía) constantly under attack from Francis I, who felt these territories were his dynastic 'right.' But Charles also took his defence of Christendom seriously and was on the defensive against the Turk and the corsair Barbarossa's coastal incursions, thus requiring naval power as well as land armies. Rhodes had fallen to Suleiman, the Turk, in 1523.

Bishop Mota, as President of the *Cortes*, enunciated Charles's views of his imperial role early in 1518. In Valladolid, and later at the Aragonese *Cortes* in Monzón, he said:

I have come not to gain new kingdoms, since I have inherited enough; I accept the throne to correct great

²⁴⁵ James D. Tracy, 'War Finance and Fiscal Devolution in Charles V's Realms,' in *The World of Emperor Charles V*, ed. W. Blockmans (Amsterdam, 2004), p. 102.

²⁴⁶ M. J. Rodríguez-Salgado, *The Changing Face of Empire* (Cambridge, 1988), p. 16.

evils in our Christian religion and for the enterprise against infidels.²⁴⁷

Mota, at the same *Cortes* in Valladolid, also delivered Charles's *razonamiento* (royal statement to persuade) requesting more *servicios*, 'according to reason and custom.' He cited the enormous expenses Charles's forefathers had incurred for Castile in defending Naples and Sicily. As a result 'his royal patrimony had received much damage.'²⁴⁸ Of course, he was also seeking help to pay for the imperial crown. Mota reminded them of *Hispania's* glorious past in providing three Roman emperors: Trajan, Hadrian and Theodosius. The implication was that the imperial idea was inscribed in Spanish history. In most subsequent *Cortes* Charles would begin by listing his services in defending Christendom and the costs 'finding our patrimony and royal incomes exhausted by the great expenses ... in defence of our realms.'²⁴⁹ This was his *razonamiento* for requesting extraordinary *servicios* - taxes from the *Cortes* to supplement his royal domain income and ordinary *servicios* for his extended household expenditures.

Charles gave a similar review of his ideas on the nature and duties of his position and inheritance in his judgment against Luther at the Diet of Worms, on April 1521:

I am a descendant of the Most Christian Emperors of the great German people, of Catholic Kings of Spain ... they were defenders at all times of the Catholic Faith ... I

²⁴⁷ Manuel Colmeiro, ed. *Cortes de los Antiguos Reinos de León y Castilla* (Madrid, 1861-1903), IV, pp. 294-295.

²⁴⁸ AGS, Escribanía Mayor, leg. 149.

²⁴⁹ *Ibid*, legs. 287, 303.

am resolved to maintain everything which these my forbears have established especially that ordered at the Council of Constance. It is certain that a single monk must err if his opinion is contrary to that of all Christendom ... I am resolved to act and proceed against him as a notorious heretic.²⁵⁰

These views were taken by Menéndez Pidal as a definition of Charles's imperial idea, which he believed was based on the Catholic Kings – a Castilian empire rather than Habsburg.²⁵¹ But this seems to succumb to the propaganda used by Charles and those around him, like Gattinara, to persuade the Castilian *Cortes* to support his imperial projects. His *razonamientos* before each meeting of a *Cortes* from 1518 to 1521 were rather a form of political propaganda, a speech from the throne, where ancient virtues of Castile were praised. Charles sought legitimacy in Castile for his dynasty – his mother was the titular monarch, and his brother Fernando was preferred by the nobility. Above all, given his limited domain revenues, he needed the *Cortes* to be willing to make extraordinary grants to finance his plans – and this was his purpose – a sufficiency of funds for his enterprises was the emperor's primary concern. Much historiography has discussed the single issue of Charles's imperial idea. But neither this nor a financial explanation can suffice to explain his actions. Much of his actions were contingent upon events and chance rather than his

²⁵⁰ Martin C. Rady, *Emperor Charles V* (London, 1988), doc. 3, p. 99.

²⁵¹ R. Menéndez Pidal, 'Formación del Fundamental Pensamiento Político de Carlos V,' in *Charles Quint et son temps*, ed. Renouard (Paris, 1958), pp. 1-8.

intentions. This chapter will, however, focus on finance, which limited his aspirations.

It was the revolt by the towns, the *comuneros*, from 1520 to 1523, against the failure of the new king to support the towns in opposition to aristocratic depredations that forcefully showed the need for reform. The luke-warm support of the nobility taught Charles that he had to manoeuvre to get the support of the municipalities to protect his dynasty. This, therefore, was Cobos's main political task. But he also needed a financial response to imperial expansion, and this was his central role. It was against a background of continual conflict that Cobos sought to widen financial sources of income and to extend traditional forms of raising extraordinary revenues. His task was to raise new funds while also managing a rapidly growing stock of debt. There was no stock exchange to facilitate large placements of government loans with an active market setting prices and maintaining liquidity. He had to work with multiple and fragmented sources of credit with continual doubt on the ability of these sources to absorb the huge demands of Charles's policies. His ability to do this required a remarkable grasp of Castile's traditional strengths and an ability to manage and manipulate the system.

Each part of Charles's empire maintained its financial autonomy. Furthermore, the Netherlands and German states' revenues were largely encumbered. Even the *Cortes* of Aragon had a separate financial *servicio* and had to be persuaded to advance funds. Thus Cobos and Charles largely had to rely on

Castile, which had the unique tax of the municipalities (the *servicio*), the wealth of the Military Orders and that of the clergy, and the growing treasure from the Indies. Cobos could not prevent the consequent rapid and massive increase in debt, raising its cost to a ruinous extent. Bankers and investors anticipating default or at least delays in payment drove rates of interest up to double digits, quadrupling the rates prevailing earlier in Charles's reign. Cobos had no remedy against 'this consumption of the purse; borrowing only lingers and lingers it out, but the disease is incurable.'²⁵²

The natural risk-aversion of the nobility did for some time keep a lid on interest rates of the *juros* (bonds) which they thought of as safe investments guaranteed by royal revenues, but this changed as the credit of the emperor deteriorated. Cobos's purpose was to serve his emperor's needs but he also served his most particular interest in becoming an independent *señorío* of Cazorla and Sabiote, which can be viewed as Cobos's sub-text. Each step in Cobos's career can be plausibly interpreted as a step on the road to Cazorla and greater financial independence. Although his career was of course contingent on events and the emperor's wishes, it is remarkable how closely Cobos was able to direct his career, unlike his emperor. Though Charles acknowledged the importance of finance, there was no concept of a financial policy or the need to manage

²⁵² *Henry IV*, Part 2, 1.2.216. Sir John Falstaff.

financial resources throughout his territories. The vocabularies of his letters make no reference to such issues. Limits of expenditures were not defined by income; expenses came first and credit provided the liquidity secured against future revenues. If ordinary royal 'domain' revenues did not suffice, other sources would be found; a shortage could not be allowed to thwart his patrimonial or imperial ambitions.

The purpose of war was to expand dynasty and wealth, and in so doing to satisfy retainers and predatory rent-seekers. Of course, the irony was that war finance would eventually consume the emperor's resources and impoverish the empire. There was no consideration of enriching or impoverishing his territories. Wealth was measured in personal terms and a connection to the underlying economy would not have been understood. Imbalances in trade that could lead to the outflow of wealth and the compounding effect of huge debt-service were not yet understood in the context of national accounts. It was not until later in the century that these issues were explored by Bodin and the tracts of the *arbitristas*. Book-keeping by treasury accountants (*contadores* and *tesoreros*) was done to measure the allocation of wealth and to determine each person's or class's reward in the hierarchy of patronage. Thus the thesis examines how Cobos responded to imperial policy decisions made by Charles and the methods he used to meet his master's wishes. Cobos was not making high policy in the manner of the Conde-Duque Olivares under Philip IV. He was

in essence a man of influence, but could not, or did not, seek to deter the emperor's imperial ambitions or encourage them in the manner of Gattinara or Bishop Mota. He had seen the consequences of Gattinara's attempts to modify imperial policies and structures of administration.

Cobos had to devise and manage fiscal policies that would form a basis for raising revenues beyond the royal domain. Extraordinary expenditure was related to war policies, which Cobos could not influence. Furthermore, the need was always urgent and expenses had to be met in distant places to which funds had to be transferred. Sources of domain revenue took time to accumulate and were often in kind, but they were also insufficient. Castile had the advantage of the *alcabala*, a transaction tax, which could be farmed out or mortgaged for immediate money. The need was always for speed, and this meant credit.

Credit required the lenders to believe that the debtor had the capacity and will to repay as well as the possibility of enforcing collection. A prince's will was considered to be suspect, as his ability to pay depended on his domain income, which was rarely sufficient to repay large loans — much of Crown land had been sold in earlier periods. Granvelle (Charles's counsellor for German and French policy) reportedly told a Welser that 'there is a time to promise and a time to keep.'²⁵³ This phrase, although unclear, implies uncertainty about commitments, perhaps like

²⁵³ Maurice van Durme, ed., *Correspondence de cardenal Granvelle (1531-1563)* (Madrid, 1956).

a Russian tycoon recently quoted as saying: 'If I can't pay BNP [a French bank] \$4 billion, is it my problem or is it theirs?' A princely word was not as good as security. The doctrine of usury was a useful escape from his solemn word. Therefore, the emperor had to rely on the credit of the cities to satisfy foreign bankers. Municipalities were corporations, like the medieval Italian cities, whose members were responsible for the collective obligations of the municipality in perpetuity, unlike a prince who could refuse to recognise a predecessor's debts. The creditor had a right to collect from the property of defaulting individuals, who were often traders with assets that could be seized. The bankers, therefore, had a preference for the credit of the cities.

There was no unified tax-system integrating various '*rentas*' into a single administrative system. There was so much subdivision. Instead there was multiple pledging or selling of individual streams of revenue so that parts of the emperor's income were often burdened with charges far in excess of his total revenues. In addition, the Crown was generally unable to redeem pledges and this meant the permanent alienation of property, such as the sale of towns, previously under royal ownership. Cobos had to work with various elites to devolve tax collection to the points of wealth beyond the royal domain revenues. 'Extraordinary' revenues were necessary because of the alienation of much of royal lands in previous centuries. Charles's 'domain' revenues had to cover the costs of the bureaucracy, of state

councils, ambassadors, salaries and pensions, and the personal households of the empress and prince. Although frequently accused of extravagance by the *Cortes*, he was expected to act imperially and this required gift-giving to his followers; failure to be generous could provoke disloyalty among his important retainers.

Some of the changes instigated by Cobos to improve and widen the imperial revenues in Castile will be examined later in the chapter. Ultimately this would be insufficient, as war needs were never-ending and Cobos was driven to patchwork expedients and frequent windfalls, such as ransoms for Francis I and his sons; the King of Portugal's dowry money; extraordinary papal grants; and the sale of the Moluccas in the Pacific among other non-recurring items. Charles and Cobos may have started with an intention to widen the tax base, but liquidity crises in the end became a solvency crisis that was bequeathed to Philip II and his financial secretary, Francisco Eraso, Cobos's successor. Cobos had always found ways of staving off insolvency, but after his death this was not achievable by his successors; hence the repeated 'bankruptcies' of Philip II's reign.

Cobos and the *Cortes* of Castile

Charles lacked a cohesive empire. Each territory had its own laws, privileges and customs. His was a family-patrimonial empire and he largely had to respect the particularist traditions jealously defended by his territories. Centralised administration was therefore not

possible in this context. Territories within the Crowns of Aragon and Castile and those outside of Spain had different constitutional provisions; they also had different forms of assembly and different roles and interests. The large towns and provinces of the Netherlands negotiated with their monarch for revenues raised there and to be used only in the Netherlands. There was always concern to defend a long land frontier with a hostile France. Naples and Castile did not have the same restrictions, although petitions by the *Cortes* of Castile began to request that their monies be used exclusively for their defence and they were often reluctant to see Castile's interests at the service of empire. The Castilian *Cortes* did not, however, have control over how money was spent. Neither did they directly initiate legislation - instead, the *consejos* and secretaries put forward legislative initiatives to the emperor.

The fiscal potential of Castile was therefore enormous and unrestricted and the *servicios* could go directly to the emperor's coffers. For this reason, a close study of the *servicios* is essential and will form a large part of this chapter. While the importance of the *servicios* has previously been studied, the role of Cobos in co-opting the *Cortes* and their *servicios* has not. They were the keystone of Charles's extraordinary revenues, and basic to obtaining credit from the bankers. There was always the need to anticipate future revenues through negotiation with the *Cortes*. Charles's territorial regents - Margaret, his aunt, and later Mary, his sister, in the Netherlands - did work

with local institutions, such as the States General and Provincial States in the Low Countries, to finance Charles's imperial title and coronation expenses. Mary of Hungary, Charles's sister, was regent in the Low Countries from 1531 to 1556. Her extensive correspondence with the emperor shows how active she was in raising money in Antwerp, and how concerned she was at Charles's refusal to allow her to grant patronage directly, which would have bound the States General more closely.²⁵⁴ 'Mary negotiated an endless string of loans and freely assigned their repayment to Spain.'²⁵⁵ This assignment of bankers' contracts did preoccupy the Castilian *Cortes*, who objected to being the treasury for foreign wars, but Charles was grateful to his sister's efforts and did not consider the implications for his individual provinces.²⁵⁶

The poorer crown of Aragon, not fully united with Castile, demanded respect for its ancient *fueros* (charters of rights and privileges) and freedoms. The emperor's viceroys had difficulty being accepted in Aragon as they were considered foreign. Indeed Cobos, as a Castilian, well knew the difficulty of dealing with the Aragonese and left it to Granvelle, who dealt principally with German and French policy. Prior to Granvelle, Gattinara as Grand Chancellor had been in charge of Aragon. Cobos saw nothing but difficulty from that kingdom. They had their separate *Cortes*, and *servicios* were required but often unpaid. The

²⁵⁴ CDCV, I, pp. 444-446.

²⁵⁵ Rodríguez-Salgado, p. 59.

²⁵⁶ AGS, E 90, f. 87.

Fugger bankers were aware of these difficulties and asked for an *asiento* charged to Aragon *servicios* to be transferred to Castile's *servicios*.²⁵⁷ Aragon's *Cortes* demanded the appointment to the emperor's councils of Aragonese, who knew their laws. Within Spain, the kingdom of Valencia and principality of Catalonia also had separate *Cortes* and territorial laws and *fueros*. Thus independent traditions ran strong in many parts of Charles's inherited territories and they jealously guarded their historical prerogatives. They were, therefore, not united in supporting his imperial enterprises. Their first priority was always their domestic needs and they were reluctant to allow funds to be used elsewhere.

Charles's long absences from his territories always raised the question of effective control and communication. Authority was provided by regencies and viceroys, which had a dynastic dimension in Castile, the Netherlands and the German territories. Fernando, the emperor's brother, ruled in the German territories. But it was always advice that Charles sought. He did not wish to govern indirectly through councils. These would have separated functions and competences and would have better co-ordinated his affairs, as Gattinara had suggested. A framework of councils provided stability, and communication was based on networks developed by Cobos, who was thus extremely well informed on events

²⁵⁷ AGS, Contaduría Mayor de Hacienda, leg. 486.

within and beyond Castile, with friends placed in key courts.

The Castilian *Cortes* inherited a deep sense of property and individual rights. *Fueros municipales* and *cartas de pueblas* in many municipal archives illustrate the origin of ancient rights and the development of institutions through *privilegios*. These were referred to in Chapter Two, and have been studied by, among others, Salvador de Moxó and América de Castro. The petitions of *Cortes* were a development of original rights and a channel through which complaints of abuses could be heard. More importantly, Castile's monarch had to listen to these complaints sympathetically before the *Cortes* would approve royal demands for taxes. The nature of abuses and complaints presented by procurators, the representatives of the principal towns, in *Cortes* and the response of the emperor through new laws and *pragmáticas* (royal ordinances) tells us much about how change was negotiated. The need for the emperor to respond to petitions gradually passed legislative initiative to the procurators. This exercise of the right to petition contributed to correcting some abuses, and reform of the administration of justice. The emperor could and did procrastinate, but with his increasingly desperate financial condition he gradually complied through favourable *ordenamientos* and *pragmáticas*.

The procurators at the Toledo *Cortes* of 1525 asked Charles to ensure that *ordenamientos* followed his favourable

responses to their petitions once the *servicio* was granted.²⁵⁸ They required petitions to be resolved through the issuance of *ordenamientos* to the *Contadores Mayores* before dissolving the *Cortes*. Without this, they knew that Charles would use his favourite tactic of postponing their resolution until he called another *Cortes* as his financing deteriorated. This was the problem in granting supply before grievances were resolved.

But it was a problem of royal authority, which the procurators were reluctant to challenge. Charles always cited royal precedent to pass the *servicio* first and then to respond to petitions.²⁵⁹ Thus the procurators 'left with vague replies, without the essential decision.'²⁶⁰ Charles had frequently sworn not to impose new taxes (*pechos*) without the consent of the *Cortes* and without 'just cause.' His increasing demands broke their trust in the royal promise and they petitioned to place conditions on granting *servicios*, limiting their use to defence of the kingdom of Castile. But increasingly Charles followed the formality of obtaining consent of the *Cortes* to collect ordinary and extraordinary *servicios*, always excusing himself by 'necessity of the realm.'

Historians have long established that special interests dominated the *Cortes* (as with today's US Congress). The purpose of this chapter of the thesis is to show how Cobos

²⁵⁸ Colmeiro, IV, p. 407.

²⁵⁹ Ibid, pp. 300-357.

²⁶⁰ Ibid, p.407.

worked with these interests to satisfy them and achieve his ends. It is probable that this connection, for the first time, highlights Cobos's central role in ensuring a rising source of funding for Charles's projects. Procurators were not elected but appointed by local elites. They, therefore, represented the interests of the wealthier groups of the towns. Charles and Cobos attempted to influence the selection of procurators through the royal *corregidores* (Crown's officials within the cities). This did not respect the tenor of Charles's letters summoning the towns to send their procurators and promising to respect their freedom of choice:

By which I order you that when you and your municipalities receive my letters, as is customary, respecting your statutes and ordinances, to chose and name two good persons from amongst you.²⁶¹

The naming and election of procurators followed the statutes of each municipality. Some were chosen by a lottery (*suerte*), some by naming dos *hijosdalgo* (two knights) — following the lineage of the founders of the town — and some by rotation. The municipalities issued their procurators with limited *poderes* (mandate) for petitions from which they could not deviate, in effect therefore preserving urban power. Thus Charles repeatedly demanded that they be issued with unlimited *poderes*, that is plenipotentiaries whose powers had to be presented to the royal *escribano* (clerk), as secretary to the *Cortes*. Before the revolt of the

²⁶¹ Ibid., p. 287.

comuneros Charles instructed his *corregidores* to chose the procurators and ensure that they had *poderes* in agreement with those set out in his royal *cédula* ordering a *Cortes*. He was requiring general and absolute *poderes*, which was a break with the tradition of limited *poderes*. Thus one of the demands of the *comuneros* was for Charles not to send instructions to the towns about the form of the *poderes*. The towns were to be free to select their procurators and to grant limited *poderes* according to the ancient freedoms of Castile. Charles had broken the link of legitimacy between the town councils and their procurators. After the suppression of the revolt of the *comuneros* Cobos had the job of re-establishing Charles's influence on more independently-minded municipalities. The thesis will examine how he did this, as it exemplifies Cobos's *modus operandi* and has not previously been elucidated.

The sense of property and individual rights had been embodied in canon and civil law of the later Middle-Ages, emerging slowly from the ruins of the Visigoth monarchy. Treatises had been developed in the law schools outlining the theory of ownership with medieval canonists and jurists rejecting property sharing, community ownership, and believing that the individual and his property was the natural law. Thus kings had to tread warily if attempting to abrogate customary rights. There was, however, always a tension between customary laws and the laws the Crown introduced in order to standardise laws throughout their territories by reconciling contradictions. The *Fuero Juzgo*

of the Visigoths was the first such attempt to apply territorial law rather than the law of each tribe. Yet the strength of the individual *fuero* lived on. Charles recognised the importance of customary law and in the aftermath of the revolt of the *comuneros* tried to address petitions – the traditional form of supplicating the monarch to redress grievances – to reform legal practice and satisfy some complaints. But the evidence from repeated petitions shows that, although redressing some grievances, he usually delayed and was reluctant to enforce his own *pragmáticas* and *ordenamientos*. He was often following the expected formality with no intention of complying.

Charles inherited much diminished 'domain' revenues in Castile due to the Catholic Kings and their predecessors' policies of alienation of royal lands in their need to finance the wars of Granada. The Catholic Kings only called a *Cortes* in 1480 in Toledo, and not again until 1498, to obtain extraordinary *servicios* for the wars of Granada and the Italian campaigns. These *servicios* were linked to the payment of loans from Genoese bankers, the Grimaldis and Centuriones. So Charles did not begin the process, but certainly considerably expanded it until the 1530s when most of the *servicios* were absorbed in paying off debt. Charles's wars were continuous and he needed to resort to extraordinary *servicios* by ordering frequent meetings of the *Cortes* to vote *servicios* beyond the traditional ordinary *servicios*, which paid for household expenses. He needed a permanent and high level of liquidity, which could only be

obtained by resorting to credit from partnerships of bankers who risked their own capital. The key to raising credit lay with the *servicios* of the *Cortes*; it was reliable, regular and unrestricted as to use. Charles called fifteen *Cortes* during his reign and was always granted a *servicio*.

Carretero Zamora has shown that the importance of the *servicio* grew in scale from 155 million *maravedies* raised in the last *Cortes* of Fernando, in 1515, to 453 million for Charles's last *Cortes* for 1555, a trebling in amount.²⁶² Carretero Zamora has updated much of Carande's work in the *Cuentas de Hacienda* at the archives at Simancas, from the sections *Escribanía Mayor de Rentas*, *Contadurías Generales*, and *Consejo de Juntas de Hacienda*.²⁶³ He has correlated the *servicios* to the repayment of itemised debts over the period 1525 to 1554. He has included 'loans to His Majesty' (*socorro a Su Majestad*) by prominent individuals, like Cobos and Tavera, charged to future *servicios*, as well as personal loans from Spanish merchants and bankers. Some of the bankers' loans were secured in anticipation of the inflow of bullion from the Indies, but it was not until about 1545, with the discovery of Potosí, that this was a material factor. The municipalities also loaned money as advances on future *servicios* with the attraction of an 8 per cent rate of interest as well as certainty of collection that was in their hands. Nevertheless, the archives show that over 90

²⁶² J. M. Carretero Zamora, 'Fiscalidad Parlamentaria y Deuda Imperial,' in *Carlos V*, ed. J. M. Millán (Madrid, 2000), p. 171.

²⁶³ *Ibid*, pp. 157-184.

per cent of the *servicios* were assigned to lenders' *asientos* (contracts) in these years.

Financial stress was particularly acute from 1534 with Charles's foreign policy initiatives and wars compounding his need for extraordinary revenues. His Tunis campaign of 1535 led to the first expropriation of individual silver cargos from the fleet of that year. Confiscation then became a regular event each year to 1538. After a lull, it was renewed in the 1540s. Bills were issued by the treasury, paying interest on the amounts seized and charging repayment against future *servicios*. Simancas manuscripts show amounts taken and named individuals issued with *juros* (bonds) against the *servicios* from 1536 to 1537. Many were merchants from Seville, but the Welsers also had their silver seized.²⁶⁴ These were desperate measures threatening to destabilise Cobos's credit mechanisms and he protested to the emperor.²⁶⁵

Suárez de Figueroa, Charles's ambassador in Genoa, negotiated an *asiento* with the Genoese (Grimaldi and Centurion) for the Tunis campaign against Barbarossa and the Turks for immediate funds to equip the fleet. Each *asiento* specified revenue from particular *servicios*. The catalogue of debtors attached to the 1527 *servicio* shows the importance of Genoese bankers (Grimaldis and Centurion).²⁶⁶

The Welsers and Fuggers were also important creditors dating from their *asientos* for loans to Charles for his

²⁶⁴ AGS, Contaduría Mayor de Hacienda, leg. 486.

²⁶⁵ CDCV, II, pp. 150-160.

²⁶⁶ Carretero Zamora, p. 165.

election to the imperial title. However, most of the major merchants and financiers of Castile prior to the 1530s were also creditors, according to the research of Carretero Zamora. The *Contaduría Mayor de Cuentas* lists by name and year the larger Spanish creditors and the percentage of the *servicio* assigned to them. The *Escribanía Mayor de Rentas* in Simancas lists the *asientos* 'that is charged to the *servicio* of the kingdom and from which it will be paid.'²⁶⁷ Tavera, president of the *Consejo de Castilla*, and Cobos pressed the Church for taxes to defend Christendom. Bundles of folios in the *Contaduría* demonstrate that the cathedral chapters were contributing loans secured by the *servicios* to help Charles's brother, King Fernando of Hungary, in his defence against the Turks. Individual nobles and members of Charles's councils also contributed to this cause. Although *jueros* were often issued and *situado* (assigned) to specific royal revenues, the main security was the future flow of *servicios*. Charles had anticipated these revenues and already spent them. Cobos thus pressed the *Cortes* for larger *servicios*. The *servicio* was the overwhelming support to Charles's dynastic policies. Why was the *Cortes* seemingly so supportive of Charles's increasing demands?

The crisis caused by the revolt of the *comuneros* demonstrated the importance of the traditional *servicio*, voted by eighteen cities of Castile in sessions of *Cortes* called 'by order of the king.' Colmeiro, who edited the

²⁶⁷ AGS, *Escribanía Mayor de Rentas*, leg. 231.

records of these sessions, shows that Cobos attended most of the meetings of the *Cortes* during the reforming years, 1522-1530, although in 1520, at the *Cortes* of Santiago-Coruña, he attended as a procurator representing the town of Granada. The official notary records his presence representing the emperor from 1522, and he sat at the head table together with Tavera and García de Padilla, as members of the Royal Council. Contemporaries such as Alonso de Santa Cruz, Sandoval and Salinas also refer to his activities as an interlocutor between the emperor and various members of the *Cortes* throughout the meetings.

The implication and importance of his role with the *Cortes* has not previously been analysed. Cobos created a new administrative role for the *Cortes* in revenue collection, which was based on their traditional right of petition. The archive of Simancas (*Estado*) has various *legajos* showing his role here.²⁶⁸ He also authorised that the procurators should receive the proceeds of the *servicio* in *receptorías* (cash accounts) prior to payment to the royal *Contadores Mayores*. This was a royal privilege granted to those 'charged with collecting the *servicios*.'²⁶⁹ It was a much-desired *merced* and had been previously purchased by tax-farmers. In this regard he was implementing Charles's policy of reducing dependency on the nobility and establishing ties with the towns that had shown the dangers of their opposition during the *comuneros* revolt; this was a realignment of power.

²⁶⁸ AGS, E leg. 24, f. 167.

²⁶⁹ Colmeiro, IV, p. 86.

The evidence from the petitions in *Cortes* and Charles's responses – counter-signed by Cobos – shows that he did this by negotiating towards the replacement of tax-farming with the *encabezamiento* of the *alcabala* (sales) tax. This was a gradual process that can be followed by reading the petitions from the *Cortes* and Charles's responses. Petitions for an *encabezamiento* had been made as early as 1512. Charles gave his support in response to a petition made at the *Cortes* of Valladolid of 1523, but it was not finally applied throughout Castile until 1535.

The *encabezamiento* was a composition of a variable revenue for a lump sum. It was levied on each of the eighteen Castilian municipalities and allocated by them within their region. Although the petitions called for the *encabezamiento* to replace the 'onerous' system of tax-farming, the emperor's real concession was in granting the municipalities a more favourable *encabezamiento*. This gave Cobos patronage over the municipalities whose procurators voted the *servicios* for the emperor. It also favoured the interests of groups of powerful citizens in the municipalities who wanted an *encabezamiento* lower than the *alcabala* transaction tax, but above all wanted control over its collection. To achieve this they were willing to vote increasing amounts of *servicios*, which met the emperor's needs for increasing extraordinary revenues.

Charles's royal domain revenues, *rentas ordinarias*, were supplemented by the *servicios*. These were fixed sums agreed by meetings of the Castilian *Cortes* every three

years. They were the key to raising revenue for Charles's ambitions and for his credit with the bankers. The municipalities collected the *alcabalas* (sales taxes) to meet the fixed amount, or *encabezamiento*, decided by the *Cortes*. The *encabezamiento* included both the *alcabala* and the *tercias* (a tax of two-ninths the value of the clerical tithes payable on produce or clerical income). Castile was divided into eighteen municipalities (provinces) represented in the *Cortes*. These in turn were divided into forty sub-districts for apportionment of a quota of the *encabezamiento* of the *alcabalas*. This was referred to as the '*repartimiento* of the *servicio*.' Amounts, less the estimated *tercias*, were apportioned to towns and villages within the municipality according to negotiation and estimated value of trade by various trading sectors or guilds within the districts. The municipalities were incorporated entities with a separate legal body, unlike a royal prince who could default with relative impunity. The *alcabala*, originally a 10 per cent transaction tax on sales and purchases of goods, was limited by agreement between the treasury and the municipal taxpayers to a fixed amount or *encabezamiento* to be paid after each meeting of the *Cortes* to satisfy the agreed *servicio*. The practice of establishing an *estimación global* for each industry in Spain to allocate their tax liability among firms in the industry was the practice until the early 1970s — based on the 16th century concept of *encabezamiento*.

Expedientes de hacienda (fiscal enquiries) were undertaken in 1533-34 by Cobos's treasury team and

demonstrated that these fixed payments were a low assessment of actual trade and therefore of potential tax revenue. Charles also gave up the potential for growing revenues based on increased transactions and *alcabalas* in an expanding economy. In return he received a guaranteed sum, which could be assigned as security to the bankers, creating credit for his perpetual war-machine.

The revenue for the Crown had previously been raised by tax-farming and had been allocated through bids at auction. Thus the Crown was assured of a fixed sum. The activity involved enormous numbers of people in different professions, socially and politically connected. It was not just a means of tax collection but also the means of gainful employment for many powerful people.²⁷⁰ There were strong links between the merchant classes, tax-farmers and officials at court. The 'farmers' operated companies with networks of agents throughout Castile, which also included local officials. To change a system that benefited so many took time. The *Cortes* had been denouncing the abuses of the system since the Catholic Kings. The *Cortes* of Burgos of 1512 complained to King Fernando:

So many irritations and problems are caused by the tax-farmers collection of the *alcabalas* and *tercias* of Your Highness, swearing falsely and other evils ... we request Your Highness that all the cities that wish to pay perpetually by *encabezamiento*, Your Highness permit them and grant a *merced* to *encabezar*.²⁷¹

²⁷⁰ David Alonso García, 'Poder financiero y arrendadores de rentas reales en Castilla,' *Cuadernos de Historia Moderna*, 31 (2006), pp. 117-138.

²⁷¹ Colmeiro, IV, pp. 239-240.

But although the Crown agreed, too many people in the commercial and financial fabric benefited to make the desired change possible. The procurators at the *Cortes* in Valladolid in 1523 stated, in similar terms, their objection to the system of collection of revenues through tax-farming by groups of merchants:

The tax-farmers cause many problems and damage to the people, we request that Your Majesty give to the cities and towns the right to collect income and *alcabalas* that they ask by *encabezamiento*.²⁷²

The revolt of the *comuneros* now made possible a change in the system of tax collection as well as other reforms, satisfying the demands of the *comuneros*, which various *Cortes* had been petitioning. Tax-farming continued in parallel for some time but gradually the municipalities took over the benefits, sharing with some of the same social and financial groups. The emperor conceded an *encabezamiento* of *alcabalas* for up to fifteen years, with certain provisions, including the need to pay *juros* situated on the *servicio*. The municipalities paid a lower level of *encabezamiento* of *alcabalas* (rather than the traditional 10 per cent transaction tax) and the evidence suggests that in return he received increasing amounts of *servicios*. Charles's incessant requests for higher *servicios* did not meet resistance from the *Cortes* because of this pact between the municipalities' representatives in the *Cortes* and the Crown — the towns received the concession of a favourable

²⁷² Alonso de Santa Cruz, *Crónica del Emperador Carlos V*, 4 vols (Madrid, 1919), II, pp. 43-66.

encabezamiento and a higher *servicio* was approved at each meeting. Spanish merchants and bankers were also closely connected with the municipal elites and would not wish to risk undermining their credit, whose security depended on the certainty of the *servicio*.

Thompson has written about absolutism, constitutionalism and representative Government in Castile.²⁷³ Thompson is correct in asserting that the growing power of the *Cortes* resulted in a 'renegotiation of the political balance between the emperor and his kingdom.'²⁷⁴ But, contrary to what Thompson suggests, it did not limit the emperor's financial independence. This was instead due to Cobos's balancing of the forces of power and corruption, which theme is developed further in this chapter. The abuse of tax-farming was merely exchanged for that of the *encabezamiento* but, through the link between the *servicios* and the municipalities, Cobos was better able to ensure that the emperor benefited from the abuse. Thompson accuses Cobos of 'administrative imperialism, ... which must have inhibited the full development of a specific secretariat for a specific function.'²⁷⁵ But Gattinara had suggested a system of separate councils with specific expertise and Charles rejected this, preferring personal contact with his secretary and the

²⁷³ I. A. A. Thompson, 'Castile, Absolutism, Constitutionalism and Representative Government,' in *Fiscal Crisis, Liberty and Representative Government, 1450-1789*, ed. P. T. Hoffman (Stanford, CA, 1994), pp. 181-225.

²⁷⁴ *Ibid.*, p. 181.

²⁷⁵ I. A. A. Thompson, *Crown and Cortes: Government, institutions, and representation in early-modern Castile* (Aldershot, 1993), p. 8.

ambiguity and room for manoeuvre that this provided. That suited Cobos.

Charles Jago also discusses the growing power of the *Cortes* over Habsburg policies, believing that prolonged international conflict decisively conditioned relations between the monarch and the *Cortes*.²⁷⁶ He states that the 'internal politics of Castile was dominated by the efforts of the Crown to increase taxation, with the *Cortes* serving as the essential "point of contact" between the Crown and the regions of Castile. It managed to reconcile the ambitions of a chronically indebted monarchy consumed by dynastic self-interest and those of narrow urban oligarchs intent on preserving and enhancing their wealth, prestige and power.'²⁷⁷ But the *Cortes* was more than a 'point of contact'; the *Cortes* itself represented these same 'urban oligarchs.' Cobos had created a *Cortes* commission, permanently resident at court to collect the *alcabala* to pay the *servicio*. They were complicit in the process of enrichment of the municipalities. This will be further developed later in the chapter.

Greater subsidies were needed to sustain dynastic policies throughout Europe. However, this did not develop, as Thompson and Jago suggest, into a trend to liberty and representative institutions. It meant mainly a reallocation of power among the unrepresentative elites and a slightly

²⁷⁶ Charles Jago, 'Habsburg Absolutism and the Cortes of Castile', *American Historical Review* 86 (1981), pp. 307-326.

²⁷⁷ *Ibid*, p. 326.

different sharing of the spoils. Charles and Cobos's political system was not a grouping of connected institutions — although the various councils carried out bureaucratic tasks. It consisted of a network of personal contacts. For Charles it was his regents — mainly devoted family-members of his dynasty: Margaret, his aunt, and Mary of Hungary, his sister, and his brother Fernando, and ambassadors and viceroys. For Cobos it was a network of capable, obedient and loyal officials and highly placed noblemen such as Francisco de Borja and Hurtado de Mendoza. Cobos's network granted and were recipients of patronage and expected recognition for their services, sometimes by a public office and sometimes by a *merced*. They were interconnected and attached themselves to his service in the hope of their advancement and profit.

The *Cortes* of Toledo, 1538, gave momentum to Cobos's policy of encouraging the *encabezamiento*. This was an historic rejection by the nobility in refusing the emperor's new tax proposals to be imposed on all estates of the realm. The ensuing removal of the nobility from the *Cortes* meant that all negotiations with the emperor's councils lay with the procurators from the towns, lessening the representative nature of the Estates General and reducing the influence of the clergy and nobility in important areas of finance. This gave Cobos the opportunity to work with the municipalities from where he had risen, first as a procurator from Granada at the *Cortes* of Santiago-Coruña in 1520. From the dissolution of the joint *Cortes* of Toledo in 1538-39, the

servicios increased substantially; Cobos's concession allowing the local elites in the municipalities to manage the *encabezamiento general* (rather than through tax-farmers) was key to this increase in the *servicios*. The *Consejo de Hacienda* could not effectively administer tax collection without a substantial increase in bureaucracy. It was easier to devolve this task to tax-farmers or through an *encabezamiento* collected by the town elites. There appear to be no references to the *Contadores Mayores* experiencing difficulties in the collection of taxes, which they had devolved by way of the *encabezamiento*; the debate in *Cortes* was more about lessening the amount of the *encabezamiento*.

The *Cortes* had an increasingly political and legislative role connecting the Crown and Royal Councils with local elites.²⁷⁸ Their legislative role derived from the right of petition, although these were only presented after the *servicio* had been agreed. *Cuadernos de Cortes* (books of resolution) and *capítulos generales* (petitions submitted to the emperor at the end of the session) were issued with the emperor's responses. The records of procurators presenting petitions when ordered to attend meetings in *Cortes* are an important source to explore in establishing a connection between the *servicios* voted and issues that concerned the municipalities. It is important to note that the *Cortes* had no control on how the *servicios* were spent. These records have been extensively used in this thesis and it is probable

²⁷⁸ Manuel Colmeiro, ed. *Cortes de los Antiguos Reinos de León y Castilla* (Madrid, 1883-1903).

that the analysis showing the flow of petitions and the negotiation for the regular increase of the *servicios* represents original findings. The *Real Academia de Historia* brought together these records from different municipalities and published volumes from 1883-1901.²⁷⁹ The petitions sanctioned by Charles became law. The Crown legislated through issuing royal *pragmáticas*, but consultation with the *Cortes* was the Castilian custom for the imposition of taxes. Medieval canon law had established the ancient custom of consultation, with jurists ruling that kings could not impose new taxes without the subject's consent — they were 'not lords of subjects' estates.'

Commentaries of the Jurists and canon and civil law of late-medieval times outlined theories of ownership and property rights favouring the individual. They did not see property rights as a concession by a king to his subjects; an individual's right preceded justice and the *audiencias* (superior courts) and other apparatus of justice traced their origin to the need for protecting an individual's property rights.²⁸⁰ That Charles understood this is evident in his speech to the Castilian *Cortes* at Toledo in 1525 about a monarch's obligation to hear petitions from the *Cortes*. 'We are obliged to listen kindly to the procurators and to receive their petitions, and to respond to them and fulfill

²⁷⁹Ibid, ed. *Cortes de los Antiguos Reinos de León y Castilla* (Madrid, 1861-1903), IV, pp. 294-295.

²⁸⁰ John McGovern, 'Private Property and Individual Rights in the Commentaries of the Jurists, 1200-1500,' *The Jurist* 32 (1972).

them justly.'²⁸¹ This was included, with other *pragmáticas*, in the 'Compendium of the Laws of the Kingdom' published by Philip II in 1567. But the *Cortes* had no control over how the *servicio* was spent, as is evident in the number of petitions on this matter. Thus Charles could not impose a new *servicio* without the approval of the *Cortes* and the towns. The attempt by Charles, at the 1538-39 meeting of the *Cortes Generales* (Estates General) in Toledo — clergy, nobility and towns — to impose a *sisá* (tax on foodstuffs) on all estates, foundered on the rejection by the nobles, who upheld their ancient right to be free of tax in return for military service to the Crown. They wrote:

It was very damaging and prejudicial and against our honour and ancient privileges, because the difference between knights and peasants in Castile is that labourers pay the taxes and not the knights, who serve their kings by venturing their persons and wealth in war.²⁸²

Despite the growing power of petitions, the Castilian *Cortes* was unable to withhold supply to influence policies in favour of Castilian interests. The exception to this was the effect of the *comuneros* revolt. A *servicio* had been agreed at the *Cortes* of Santiago to secure Charles's imperial title in 1519. However, it was never paid as the *Comunero Junta* (*comuneros* tribunal) diverted the Crown's ordinary revenues for its own use during the conflict of 1520-21 and the *servicios* voted by the *Cortes* were never

²⁸¹ Colmeiro, IV, p. 373. Ley 8, título VII, libro vi.

²⁸² Sandoval, *Historia del Emperador Carlos I*, (Madrid, 1922), VII, pp. 32-59.

collected in the chaos of the conflict.²⁸³ The royal *corregidores* (officials) in the towns had no power to collect the *encabezamientos* assigned to each region. The Fugger bankers provided the funds to acquire the imperial title based on the security of the *servicio* and this, therefore, had to be replaced by assigning to them the collection of tax revenues of the Military Orders, with the agreement of Pope Adrian.

The traditional view about the causes of the *comuneros* rising was stated first by López de Gómara in his *Annals of the Emperor Charles V*. He believed that their defeat 'exalted the power of the king whom they desired to abase.' Among other reasons, they revolted 'because of the *servicio*, because of the foreign regent, because of the large amounts of money which were being taken out of the realm, and because of foreigners holding the chief offices in the realm, and being granted knighthoods in the Military Orders.'²⁸⁴ Recent historiography on this revolt views the causes as being related to failure by previous rulers to support the towns, including their own officials (*corregidores*), against depredations of the aristocracy who claimed *señorial* taxes on royal towns through an illegal expansion of *señorial* territories.²⁸⁵

²⁸³ AGS, E 1521, leg. 9, f. 127, consignación del servicio de Castilla de los años 1520-1521.

²⁸⁴ R. B. Merriman, *The Rise of the Spanish Empire in the Old World and the New* (Oxford, 1912), III, pp. 58-59.

²⁸⁵ Stephen Haliczer, *The Comuneros of Castile: the forging of a revolution, 1475-1521* (Wisconsin, 1981).

Although the *comuneros* were defeated in 1522, they had represented a threat to Charles's grip on Castile, the most valuable part of his empire. Their reform proposals included a requirement to overhaul the royal administration of justice and tax collection. Charles's own treasury officials also reported on the disastrous state of the royal treasury. Charles was, therefore, persuaded of the need to meet some of their grievances. This followed after some exemplary executions of those exempt from a general pardon and sequestration of estates of the principal leaders of the revolt. Cobos drew up the list of those exempted. Additionally, he acquired for himself expropriated properties from some of the rebels. A *Consejo de Hacienda* (Council of Finance) was also established to better administer the royal treasury. The growing prosperity of the towns made it expedient to have their support in Charles's quest for more money and increasing *servicios*. To achieve this, local elites, officials, merchants, and artisans had to support his policies. Unpopular officials were replaced, including those in the Council of Castile. The *audiencias* (royal high courts) were given more independence over cases involving conflicts between the aristocracy and towns lying within the royal domain.

After the revolt of the *comuneros* it was essential to implement policies that would build alliances and cement loyalties beyond the nobility and enable monies to be quickly raised for imperial wars. Cobos clearly understood that he had to negotiate in what Elliott called a

'composite' state.²⁸⁶ He understood the limits of Charles's powers, which were more a hierarchy of personal authority, rather than an absolutist centralising of powers. Effective political persuasion was the tactical skill required to achieve his strategic goals. There were many layers of overlapping and fragmented jurisdictions whose interests had to be balanced – Crown, Church, nobility and municipalities. Internal redistribution of revenues created strong, centrifugal tendencies and organising transfers and transport of funds created much scope for bribes to the individuals involved.

During the reign of the Catholic Kings, a close network of merchants and officials had developed to provide a service of tax collection to the treasury. With tax-farming, merchants were private contractors who often combined lending to the Crown with arbitrage dealings and private trade. Thus state finances were not controlled by the relevant councils of state and, through this policy of de-centralising tax collection as well as justice, local vested interests gained control over important parts of royal revenues. Hence local elites and the royal officials who colluded with them gained a strong bargaining position with the Royal Councils and the Crown. As previously stated, Spain was not a unitary state and did not rely on a large, centralised bureaucracy to levy and control royal revenues. It was a 'composite' state, with different territories

²⁸⁶ J. H. Elliott, 'Composite States,' *Past & Present* 137 (1992).

preserving their own political and administrative structure and historic *fueros*, especially in matters of taxation.

Evidence of Cobos's central role in financing Charles's enterprises is found in his methods, which were applied consistently in his negotiations with the municipal elites. The municipalities and the *señoríos* were the basic administrative units of Castile. Cobos worked within the institutions he knew so well with the objective of rapid, even if not efficient, revenue collection. Outsourcing of taxation was necessary due to the small central administration. Cobos maintained links with municipal elites through the meetings of the *Cortes*. He negotiated to replace the unpopular tax-farming with the *encabezamiento*.²⁸⁷ The concession of a favourable *encabezamiento* would benefit the interests of the municipalities and their groups of powerful citizens and encourage them to meet Charles's increasing requests for *servicios*. This capitation tax was the municipalities preferred method of paying the *alcabala*.

Tax-farming had for generations been the practical solution to tax collection and provided advance payment to the Crown. The Crown essentially devolved authority for tax collection and avoided a large centralised bureaucracy, which would have been a charge on royal ordinary revenues. The towns disliked tax-farming as it resulted in a higher burden of tax through additional levies for expenses by the

²⁸⁷ AGS, E leg. 24, f. 167, 1532.

tax-farmer.²⁸⁸ Cobos negotiated to replace this system with a fixed capitation (*encabezamiento*) for each of the eighteen municipal towns represented in *Cortes*, which in turn could reallocate the burden within their groupings of towns and villages.²⁸⁹ Thus the amount of tax raised and the goods taxed through the *alcabala* – the sales tax underpinning the *servicio* – were still largely determined at local level. The only requirement was that the total amounts fulfilled the *servicio* agreed in *Cortes* between municipal procurators and the emperor's representatives, whose principal man was Cobos. This gave Cobos patronage over the municipalities whose representatives voted the *servicios* for the emperor.

A close network of municipal elites and officials appointed by Cobos developed to provide the *servicio* to the treasury. Funds were delivered more promptly than through tax-farming and the tax yields were more predictable. This extension of networks of patronage, at which Cobos was so proficient, underpinned the state administration but enhanced the opportunities for corruption of the political elites in the towns. They were thus essentially co-opted by Cobos and as a result voted for increasing amounts of *servicios* at regular three-yearly sessions in *Cortes*. Cobos ensured that *privilegios* and *mercedes* were dispensed to the procurators who supported the increase in *servicios*.²⁹⁰ He also arranged for them to receive the *servicios* collected in

²⁸⁸ Santa Cruz, II, pp. 43-66.

²⁸⁹ AGS, E. leg. 24.

²⁹⁰ Ibid, MP. Legs. 1-58.

the *receptorías* (collection posts) before paying out to the royal *Contadores Mayores*. This was granted as a royal privilege to the procurators rather than to other agents. The tax-farmers had previously purchased this right. Thus the procurators could delay payment and earn interest. This corruption made them more submissive and compliant to the emperor's requests. The *comuneros* had asked that Charles reform this practice:

That procurators could not receive monies to hold in *receptorías*, nor receive *merced* from the kings of whatever kind; they must be free of desire for riches and without hope of receiving any *merced*.²⁹¹

They feared that abuses of the *mercedes* would undermine the independence of the *Cortes* and reduce them to obedience to the emperor. Thus it was, with *mercedes* and *hábitos* of the Military Orders growing in amount as the *servicios* increased. Surprisingly, although very respectful to their emperor, they still drew attention to unfulfilled petitions.

The principle of raising the *servicio* through an *encabezamiento* was the key to their corruption and identification with the administration. Tax-farming largely ended and the towns were given jurisdiction for apportioning and collecting taxes in return for increasing the *servicio*. Cobos's method was to have the emperor write to the procurators in *Cortes* to request them to persuade town councillors of the need to increase the *servicio*. Cobos required the entire town council to vote for the *servicio* to

²⁹¹ Colmeiro, IV, p. 41

avoid subsequent disapproval of the decisions of their representatives in *Cortes*. That had happened during the *comuneros*, with the resulting murder of the procurator for Segovia. The vote was then placed on record as support for royal policies and the necessary taxes to implement them. Cobos initiated a system of negotiating with the town representatives in the *Cortes* and working out proposals jointly, then sending drafts back to the towns. This turned the *Cortes'* procurators into proponents of the measures.²⁹² As already noted, Cobos also created a *Cortes* commission, permanently resident at court. The commission was responsible for administering the collection of the *alcabala* to satisfy the amount of the *servicio*. Cobos was effectively channelling benefits and his patronage to these commissioners and thus increasing their dependence on the administration. The commission kept lists of towns subject to the taxes under the *encabezamiento* and recorded sums owed to the treasury from each of the eighteen towns of Castile, which were *cabeza de partida* (capitals of fiscal sub-districts) for the collection.²⁹³

If communities refused to pay their allocation under the apportionment of the *encabezamiento*, they would be subject to the old system of tax-farming the *alcabala* and excluded from the benefits of administering the *encabezamiento*. The *Cortes* commission would auction off the estimated tax due to a tax-farmer. Cobos's purpose was to

²⁹² AGS E 1523, leg. 11, f. 157.

²⁹³ AGS, PR, leg. 69, f. 86.

shift the legal responsibility for tax collection to local elites. However, they had to work with more experienced officials from the *Contaduría Mayor* in the treasury. In this way Cobos indirectly controlled the *Cortes* commission who also paid themselves salaries from the *encabezamiento*.

Cobos had the emperor issue *cédulas* to favoured procurators giving them further benefits. Procurators asked for *mercedes*, appointments as royal *corregidores* and, of course, appointments to the Military Orders. Procurators who did not vote for *servicio* increases had their requests for *mercedes* refused. Salamanca had been particularly reluctant and Charles issued a document, counter-signed by Cobos, rejecting their request for *mercedes* and refusing appointment by their representatives to the Order of Santiago, on Cobos's recommendation: 'Salamanca was the same in this *Cortes* (1542) as the previous one and the *servicio* was approved without it.'²⁹⁴ Salamanca had also been one of the cities to refuse to attend the *Cortes* of Santiago called to approve an extraordinary *servicio* to pay for Charles's imperial throne, which Charles and Cobos would have remembered. This was Cobos's exquisitely developed system of rewards and punishments. He was always conscious of the need to provide higher *servicios* for Charles and to extend royal jurisdiction with control over patronage to achieve his dynastic objectives.

²⁹⁴ AGS, E 1542, leg. 58, f. 39.

Cobos was successful in this policy of manipulating the towns and getting their support. He created a close network of merchants and officials to provide the *servicios* to the treasury. An ability to provide funds promptly and advance necessary monies increased an individual's chances of royal favours. The policy favoured the growth of commercial wealth in the larger towns where capital came from property, money-lending and trade. It also was a counter-weight to the political and military power of the nobility. Thus he did not control the Crown's revenues through a large hierarchy of bureaucrats with their royal edicts providing minute regulation of the economy. Instead, power was fragmented and Cobos's manipulation of the tax-regime illustrates his management of this process, and his understanding of the need to negotiate sharing of power with the *Cortes*.

The *encabezamiento* was a practical solution to tax collection and provided funds in advance of the tax collection, with the actual taxes on goods largely determined at local level. Given the small size of the state bureaucracy, perhaps he had no option but to devolve authority in this way. But like so many of Cobos's methods to obtain quick sums of money for his emperor, the longer term effect was to lose control of revenues and lose the increased revenues from a growing economy. Thus a fixed amount was received and the tax yield declined, as the *alcabalas* were no longer determined by market prices. Although the amounts of *servicios* increased with each *Cortes* — growing by three times the amount from 1516 to 1555 — the

system of a fixed *encabezamiento* kept revenues below the rate of inflation.

The *Cortes* would issue a list of petitions prior to voting, without actually withholding supply of finances until their petitions had been granted. However, the balance of insistence on redress moved towards the *Cortes* over time. This can be seen in the nature of the *ordenamientos* flowing from the petitions. At the *Cortes* of Toledo in 1525, Charles promised to deal fully with all petitions before the session of the *Cortes* ended. Although the *Cortes* had a traditional right of petition, they did not have a right of demanding redress of grievances before agreeing to supply revenues. The emperor wished to make concessions of his own free-will. However, he ordered the Council of Castile to have the *Contadores Mayores* issue *cédulas* to implement approved petitions so that the procurators could return to their towns and 'obtain their cooperation in speeding up the collection of the *servicios*.'²⁹⁵ This clearly linked the implementation of petitions to the collection of *servicios*.

Further information on the negotiations that took place to raise these *servicios* and the nature of Cobos's pact comes from a manuscript found in the John Carter Brown library collection of manuscripts in Providence, Rhode Island.²⁹⁶ It consists of a *repertorio* summarising laws and *pragmáticas* from 1523 to 1544 – roughly the years of Cobos's greatest influence. It was compiled in 1551 by 'lawyer

²⁹⁵ AGS, PR, leg. 69, ff. 69, 76.

²⁹⁶ Providence, R. I., JCB Library, Ms BB/S7333-1551, Valladolid, 1551.

Andrés Martínez de Burgos, resident of Astorga' and sent to 'the most high, most powerful Prince Philip.' It was acquired in the 19th century from the private library of Don A. Canovas del Castilla. It also includes the *leyes de Toro* and *leyes de Hermandad* and various papal bulls favouring royal Castilian jurisdiction. Its value lies in enabling an analysis over this period of the nature of the petitions and the weighting of importance of different issues, as well as the emperor's responses. This can be cross-referred with Sandoval's chronicles.²⁹⁷ The series *Cortes de los Antiguos Reinos de León y Castilla*, edited for the *Real Academia de la Historia* in the late 19th century by Colmeiro, is also an important source.²⁹⁸ This is a collection of reports by Alonso Suárez de Mendoza, who attended the *Cortes* of Toledo (1538-39), and a review of manuscripts relating to meetings of *Cortes* in various municipalities around Spain. Another valuable chronicle on the *Cortes* is that of Alonso de Santa Cruz, the emperor's principal cosmographer.²⁹⁹ This was based on a manuscript discovered in Rome in the late 19th century by von Ranke. Santa Cruz had sailed with Cabot in 1525 and navigated Brazil's coast in 1530. He was appointed *cosmógrafo mayor de la Casa de Contratación* in 1536. Some of the bundles at Simancas were also consulted.³⁰⁰ These helped in cross-checking for inconsistencies and repetitions. But

²⁹⁷ Fray Prudencio de Sandoval, BAE, vol. 82, *Historia del Emperador Carlos V*, 3 vols (Madrid, 1956).

²⁹⁸ Colmeiro, ed.

²⁹⁹ Alonso Santa Cruz, *Crónica del Emperador Carlos V* (Madrid, 1919), II, pp. 43-66.

³⁰⁰ AGS, PR, leg. 70, ff. 9 to 51.

first the thesis will consider the crisis of 1538, which increased Charles's dependence on the *Cortes's servicios*, as this will place in context the need for an accommodation with the *Cortes*, given the intransigence of the nobility.

Cobos had reported to the emperor that, due to the great needs of the emperor's enterprises, the *servicio* was insufficient and the *pecheros* (taxpayers) were burdened by past taxes. 1538 was a climax of imperial over-extension and Charles needed to raise enormous sums. The sense of urgency comes through in the royal *cédula* issued in Valladolid, 6 September 1538, ordering a meeting of all three estates in Toledo from 15 October. It was *refrendada* (counter-signed) by Cobos. The historic nature of this meeting was the proposal for imposing a *sisa general* (excise tax on foodstuffs) throughout the kingdom, which was to be paid by all three estates. Juan Gijón, the emperor's notary, prepared a report explaining the reasons for a *sisa* and attached it to the *cédula*.³⁰¹ This required that the *poderes* be unlimited and follow the draft submitted by the royal *corregidores*. Reviewing the state of the nation, it declared 'the insufficiency of resources and incomes to provide for the expenses and extraordinary needs and to pay the enforced debts.' Accordingly it appealed for help:

To remedy public needs, ... that the royal patrimony was exhausted and consumed by great expenses that in prior years had been sustained in the defence of our kingdoms.

³⁰¹ BN, Ms 3825, ff. 51-52v.

The customary *razonamiento* followed, emphasising the responsibility and cost that went with empire. Castile benefited from the imperial throne and should incur the expenses in defending Christendom against the Turk, the Lutherans, and Barbarossa. The procurators ironically replied, 'that there is no greater cause and that which pleases God than peace between Christians.'

Each *brazo* (estate) deliberated separately. The nobility asked to join the procurators but Charles denied their request. Tavera, the President, persuaded the clergy to accept the *sisas* as a temporary measure. But Cobos was told by the *Condestable de Castilla* (Constable of Castile), representing the nobility, that meeting separately, as Charles insisted, was not a *Cortes*, and thus:

We cannot deal with anything ... as we without the procurators and they without us, it seems to me anything we did would not be lawful.

Cobos was the go-between with the nobility and Charles; indeed the record of the notary shows much coming and going between Cobos and the nobility. Cobos told them:

Some issues that have been dealt with up to now are inadequate to fulfill His Majesty's requirements ... His Majesty asks for present help and not advice. It seems to His Majesty that the best means that could be had is through a general *sisas*.³⁰²

Colmeiro's edition of the *Historia de las Cortes* notes that:

³⁰² Colmeiro, V, p. 60.

The nobility was expelled in punishment for their resistance to the wish of the emperor. After the dismissal of the nobles, the procurators remained alone facing the throne, more to concede *servicios* with humility appropriate to loyal vassals, than to moderate the royal power with reverent petitions. The people complained that they had been corrupted by promises and gifts; and when this was not the case, it was the Kings who were masters of the councils that were sent to the *Cortes* by means of the royal *corregidores*.³⁰³

Chroniclers like Sandoval describe the meetings of the General *Cortes* of Toledo in great detail, sourced from the emperor's principal notary, *licenciado* Juan Girón, who also represented the emperor, together with Cobos and Tavera, at the *Cortes*. The emperor's reply to the nobility was sarcastic:

That your good wishes are much appreciated, and that this did not represent a *Cortes*: that help was asked for the present, and not advice for the future: that solutions were sought, and those were not.

These may well be Cobos's words, as they are similar to the previous footnote, which was quoted in the Colmeiro version. The emperor concluded that, 'from now on there are no *brazos* ... that everyone goes home.'³⁰⁴ Sandoval relates a story that the emperor was so angry with the *Condestable de Castilla*, who represented the *grandes y caballeros* in defence of their privileges of *hidalguía* (nobility) that he threatened that he 'would throw him into the gallery from

³⁰³ Ibid, V, p. 99.

³⁰⁴ Sandoval, VII, p. 57.

where he was.' The Constable replied: 'look better Your Majesty, although I am small, I weigh a lot.'³⁰⁵

This dismissal with apparent anger and asperity has been interpreted as weakening the power of the *Cortes*. The *comuneros* had been defeated and the nobility dismissed. The procurators from the towns, therefore, had no support from the other estates. However, elimination of the nobility and clergy from a role in the *Cortes* moved the balance of debate and negotiation to the towns. Charles was more than ever dependent on their *servicio*. The evidence indicates that Charles and Cobos had to negotiate with the *Cortes* to attain their *servicios*, even before the fateful General *Cortes* of Toledo, 1538-39. Cobos had, on 31 January 1539, recommended the dismissal, 'that everyone goes home,' which was probably a strategic error. Cobos's rubric is on the manuscript recording this decision.³⁰⁶ But after his experiences in Toledo he probably concluded that it was easier to deal with the procurators; the nobility were not to be cowed. And he soon found other ways to tax the clergy and expropriate landed *señoríos*. From then on, however, the number of petitions increased, as did the insistence of demands for Charles to moderate his spending and the taxes that 'bore on the people,' as well as demands that he fulfill previous agreements in *Cortes*.

Charles and Cobos worked with the *Cortes* to resolve some of the petitions and ensure granting of the *servicios*.

³⁰⁵ Ibid, VII, p. 58.

³⁰⁶ BN, Ms 11599, no. 9.

Although the *Cortes* were called *por mandado de Vuestra Majestad* (by order of Your Majesty) and the procurators stated: 'pedimos y suplicamos en nombre de estos reynos' (we ask and supplicate in the name of these realms) it was clear that Charles was in no position to enforce his will and, given his enormous financing needs, he had to negotiate with the procurators. This he largely left to Cobos. The usual expedient, as at Valladolid in 1523, was a declaration that the emperor could not grant the petitions until the *servicio* was given, but promised not to leave the assembly until all they asked for was granted 'if it benefited the realm':

I promise to you that the *Cortes* will not be disbanded without first being satisfied with all that is just and beneficial for these realms, and in this way whatever *gracia* or *merced* which is made to you will come from my liberality.³⁰⁷

When granted, laws would be promulgated as *pragmáticas y leyes del reyno* (royal commands and laws of the the realm) and *pregones* (town cryer) would be called in principal town-squares. Petitions at Valladolid in 1523 — after the *comuneros* revolt — included requests that the emperor marry, should stay in his realm, should moderate the expenses of his household (which were excessive compared to those of the beloved *Reyes*), should have peace with Christian princes and war against the infidel, reform the judiciary, should not include as tax gatherers those who held royal posts or were in charge of *libros de las Rentas Reales* (tax books of Royal

³⁰⁷ Santa Cruz, II, p. 46.

Income), only give to Spaniards *encomiendas* and *señoríos*, and that His Majesty give details of monies leaving the realm to determine if in specie or bills of exchange (the former would greatly damage the community). There was also a request as early as Charles's first *Cortes* of 1518 to desist from selling *hidalguías* (knighthoods), 'because they pay no tax, which is very damaging to the people, because all those who do not pay and who are the richest in the area, are a charge on the poor.'

However, Charles continues to be supplicated in subsequent *Cortes* for similar concessions and asked to reply to prior petitions whose laws should be collected and published. An important, repeated request is for an *encabezamiento general* and for *diputados del reyno* who administer the *encabezamiento real* to do so without fees. Previously, the thesis referred to the 1523 *Cortes* of Valladolid's complaint about tax-farming and the need to replace it with a perpetual *encabezamiento*. Charles responded:

That he was pleased to grant a *merced* to his realms for an *encabezamiento* to the cities that had a voice in *Cortes*, for fifteen years with certain conditions: that the said cities collect by *encabezamiento* all the income from the towns and provinces in their area, without leaving any excluded, and after paying the *juros* assigned in their regions, they would be obliged to pay these incomes in the third of the year and bring the monies at their own risk to the Court of His Majesty.³⁰⁸

³⁰⁸ Santa Cruz, II, p. 63.

This was part of Cobos's negotiated settlement with the municipalities, which enabled him - by aligning their financial interests with those of Charles - to have the emperor ask for increasing amounts of *servicios*.

Now that the crisis of the General Cortes of 1538-1539 has been discussed, we can turn to an analysis of the manuscript discovered in the JCB Library, referred to previously. The collection in the JCB Library of Martínez de Burgos is an attempt to clarify laws and contradictions, 'ordered to administer justice and good government in these realms.' He organised his information by *libros*, *títulos* and *leyes* (books, titles and laws), putting all related data together with a list of contents 'for better consultation.' This was to be a 'working document' for lawyers and judges 'so they can know all the laws and new *pragmáticas* made by Your Majesty.'

The *títulos* referring to *encabezamiento* are worth quoting at length, given that this became the main source of finance. The Cortes's approval of *servicios* were often subsequently rewarded by a 'royal concession' of a time-extension of the fixed *encabezamiento*. At the 1534 Cortes of Madrid it was extended for ten years - which of course reduced the growth of royal revenues and was a major contributory cause of financial insolvency. It was again extended by ten years at the Cortes of Valladolid in 1547. This is fully quoted and translated from the manuscript, *Folio LVIII, Libro VI, Titulo III, Ley I, and Ley II*, as shown in Appendix Two.

Other books and titles such as *Libro VI, Título III* contain various laws that state how the *encabezamiento* of the *alcabala* should be shared (the *repartimiento*) and arbitrated if disputes arose. Thus:

Jurisdictional cities, justices and *corregidores* were to call procurators and six good *pecheros* (tax-payers), two of the richest, two of the average and another two of the lesser well-off, if there was doubt or debate over the *repartimiento* of the *encabezamiento real*. And all together see and verify in what manner the *repartimiento* has been made and paid ... and if some of the tax payers have been unfairly treated, they will communicate and confer to determine how to resolve in the future the *repartimiento* and payment, and all being in agreement they will send to our council so that it will be confirmed or amended and if it cannot be confirmed ... we will send an order from our council in our letters and provisions.

Pragmática de S. M. Valladolid, 1537.

Disputes could affect the timely advance of *servicios* to the emperor and/or his bankers. Thus the above mediation process had to be enforced. Another *pragmática* requires that Cobos and other members of the royal council intervene to resolve a dispute in the *repartimiento* to ensure timely payment to the royal treasury. The *pragmática* complains that:

And now you know that the procurators of the said cities that met in Valladolid in 1541 are obliged in accordance with my *cédula* to fulfill their agreement: and many cities do not pay that which they justly should ... and create disorder in the *repartimiento*: and they supplicate me to send the necessary papers to resolve this. That my *cédula* is registered and already effective I order that you together with Doctor Guevara, *Licenciado* Girón and the *Comendador Mayor* [Cobos] of our council review the list you must provide for the said *encabezamiento*: and hearing the opinions of the people whom the procurators represent, amend the conditions that seem to us worthy of change in the *encabezamiento* so that all families of these realms enjoy the benefit, in equality, in conformity with the letters of *encabezamiento*, and that I exempt you from

whatever charges or blame that by this you can be charged.

Pragmática de S. M. Valladolid, 1547.

It has been shown that petitions were often repeated even though they were incorporated in royal *pragmáticas*. Analysis of both the *Cortes Antiguos de León y Castilla* and the manuscript of Martínez de Burgos demonstrate this. A typical petition was:

That the royal *servicio* is not requested without just cause, and is spent in defence of these realms ... and it pleases us to spend the said *servicio* only in the protection of these realms and resistance to their enemies, if they come against us: and in no other particular need, nor in any other of our kingdoms and *señoríos*.

This was first issued in the *pragmática* of the Valladolid *Cortes*, 1523; it was then repeated in a *pragmática* at the Toledo *Cortes* of 1525 and the Madrid *Cortes* of 1528. The procurators kept trying and failing to restrict all spending of *servicios* to the defence of Castile. Charles had a different interpretation of his patrimonial territories. The French invasion of Italy in 1523 necessitated expenses for that campaign, and the fall of Rhodes to Suleiman the same year necessitated naval expenditure. The Genoese and Augsburg bankers required the security of the *servicios* to advance funds for these enterprises.

Many *pragmáticas* required that prelates and clergy live in their dioceses. But Charles needed many prelates for his royal service as they were trained in law and

administration. Thus the *pragmáticas* of Valladolid 1523, Toledo, 1525, Madrid 1528 and 1534, and Valladolid, 1537 all repeated:

We order that the prelates that are not occupied in our service, and offices and positions indicated, reside in their churches and bishoprics.

It was unrealistic for the procurators to expect a wholesale replacement of the emperor's councils. Other *pragmáticas* dealt with administration of justice and training of judges.

The JCB manuscript of the *pragmática* at Valladolid, 1523 (*Libro VI, Título V, Ley XV*) is particularly interesting because it responds to the procurators' concern on the outflow of specie:

That the pope does not receive monies from these realms other than bills. Because the amount of money received by the very sainted pope from these realms is enormous; taken out in money creates great damage to the republic. We order that he takes bills.

This issue comes up often with payments in gold coin to mercenaries. The increasing use of bills of exchange drawn on the bankers avoided the direct outflow of specie. The 'barbaric relics' of gold and silver were equated with a kingdom's wealth in the mercantilist tradition before the coining of the term. This will be further discussed in a later chapter.

The JCB manuscript, with the prominence given to the many *pragmáticas* by Charles over a decade or more to establish the principal of *encabezamiento*, provides insight

into the critical importance to Charles and Cobos of achieving timely payments of *servicios*. The amount of detail, including arbitration and enforcement procedures, bears Cobos's signature. Also, Cobos's role is emphasised in Charles's various *cédulas* in the manuscript, which required consultation between the procurators and Cobos over the implementation of the *encabezamiento* and granted authority to the *Contadores Mayores*, under Cobos, to collect the proceeds.

Cobos's Influence in the Council of Finance

After the defeat of the *comuneros* Charles had to restore order and his finances. To this end he remained in Castile from 1522-1529. He needed to ensure the security of his patrimony and dynasty, partly by placing loyal retainers in key institutions. During the revolt of the *comuneros* he had been unable to pay his creditors.³⁰⁹ It has been shown how Cobos worked with the municipalities to co-opt their support and to raise *servicios* while responding to petitions, many of which had been requested by the *comuneros*. Charles needed the town's elites and therefore had to favour them in their struggle to resist noble pressure on their territories.

The *audiencias* were given more independence in reforms introduced by Tavera, President of the Council of Castile, and especially unimpeded jurisdiction over cases involving conflicts between the aristocracy and towns lying within the

³⁰⁹ Carlos Javier de Carlos Morales, *El Consejo de Hacienda de Castilla, 1523-1602* (Madrid, 1996), pp. 34-48.

royal domain. The purpose here was to address a common complaint that nobles tried illegally to assert their *señoríos*, and litigation with the nobility was often suspended. Tavera's agreement with the towns after the *comuneros* was to have the town's royal *corregidores* act to keep them free of noble encroachment.

Cobos and Tavera were the principal architects of reform. Their rivalries were discussed in the previous chapter. They had '*un paso común fernandino*' (a common connection), having worked in Fernando's councils and, therefore, were at first able to work together and share different spheres of influence.³¹⁰ But institutional reform was not about efficiency for Charles, as suggested by some historians; it was more about dynastic preservation.³¹¹ Tavera was appointed President of the Council of Castile (1524-39). Together with Cobos, he expanded the existing system of councils and established new specialised councils to oversee the expansion of trade with the Indies and to administer royal finances. Thus, the *Consejo de las Indias* was created in 1524, with Cobos as secretary.

The Indies was beginning to be recognised as an important source of royal revenues and a new council was deemed necessary to manage this development. The *Casa de Contratación* at Seville had, from 1503, exclusive control

³¹⁰ Ibid, 'El régimen polisinodial bajo la égida de Cobos y Tavera,' in *La Corte de Carlos V*, ed. J. M. Millán (Madrid, 2000), II, pp. 43-49.

³¹¹ A. Espinosa, 'The Spanish Reformation: Institutional reform, taxation and the secularisation of ecclesiastical properties under Charles V,' *The Sixteenth Century Journal* XXXVII, no. 1 (2006), pp. 3-24.

over the administration of all trade and navigation with the Americas, with all goods being registered and receipts maintained at the *Casa*, and the *pilotos mayores* (principal pilots) being appointed and their skills tested in the pilot school.³¹² This rigid monopolistic system of administering trade, which was described in detail by a 17th century treasurer of the *Casa*, José de Veitia Linaje – one of Haring's principal sources – was later extended to register all gold and silver at Seville to avoid dispersal and unregistered flow through to other countries. Yet Charles permitted foreign cargo-ships to trade with the Indies – and by agreement with Henry VIII in 1523 – on the same terms as Spanish vessels. This caused the *Cortes* of Valladolid of 1523 to petition:

That foreign vessels cannot be loaded as this is prohibited by law, and if some *merced* has been granted it should be revoked.

The *Cortes* continued to blame the shortage of Spanish vessels on Charles not complying with the laws and *pragmáticas*.³¹³ The detailed records in Seville's *Archivo de Indias* formed the basis of Earl J. Hamilton's research into the relationship between the quantity of silver arriving in Spain and the so-called 'price revolution', which will be discussed later in Chapter Five, under the sub-heading 'Cobos, Juros and Silver.'

³¹² Clarence Henry Haring, *Trade and navigation between Spain and the Indies in the time of the Hapsburgs* (Gloucester, Ma, 1964.)

³¹³ Valentín Vázquez de Prado, *Aportaciones a la Historia Economica y Social de España y Europa: Siglos XVI y XVII* (Pamplona, 2000), pp. 131-133.

The *Consejo de Hacienda* was established in 1523. This became the main instrument for negotiating loans. Cobos was secretary to both this council, and the *Consejo de las Indias*. The Presidents of these councils were both close to him, and he was responsible for their ordinances and advising the emperor on jurisdictional *cédulas*. When the Presidents changed they were invariably tied to Cobos through obligation. He always preferred the role of CEO rather than Chairman of the Board. He named his favourites, Gonzálo Pérez and then Francisco Eraso, to follow him in the post. Prior to the *Consejo de Hacienda*, financial and treasury affairs had been divided between two *Contadurías Mayores*: the *Contaduría Mayor de Cuentas* which authorised payments, registered revenues and checked the expenses of officials (a controller's office) and the *Contaduría Mayor de Hacienda*, which administered and collected royal income. The distinction is important and is reflected in the archival organisation of the massive holdings of manuscripts at Simancas relating to records of finance. Each was staffed with book-keepers and *escribanos* (clerks). Gattinara had suggested a reform that resembled the Flemish *Conseil des Finances* and to supervise both *Contaduría Mayores* to ensure their functions were well defined. Martín Salinas, in his letters to Fernando, Charles's brother, makes the first reference to Charles's intention to establish this *consejo* in his letter of 8 February 1523: 'His Majesty wishes to

create a *Consejo de Hacienda*, I believe in the form of Flanders.³¹⁴

The *Consejo de Hacienda* effectively replaced the *Contaduría Mayor de Hacienda* and met daily to examine budgets on income and expenses. *Cuentas* continued to function examining expenses and helping the new *Consejo* in arranging the enormous numbers of *asientos* (credit contracts) essential for maintaining the solvency of the empire. The *ordenanzas* establishing the *Consejo de Hacienda*, setting out its functions and naming its members are in the Simancas archives.³¹⁵ Royal domain income and expenses continued to be administered by the *Contaduría Mayor*. This included responsibility for collection of 'ordinary' royal rents, and payment of royal fixed expenditures. Francisco de Vargas, a friend of Cobos, was appointed as special treasurer to receive the Crown's ordinary and extraordinary revenues from Castile and to avoid the multiplicity of treasurers collecting and making payments from the various revenue accounts.³¹⁶ Vargas sent monthly financial reports to the *Consejo de Hacienda*, which oversaw these accounts. Salinas writes that the new *Consejo* had little support when created in 1523. Cobos as secretary of this *Consejo* was charged with countersigning all payments. Salinas writes to Fernando again in 1524:

³¹⁴ A. Rodríguez Villa, ed., *Martín de Salinas, embajador del infante Don Fernando, 1522-39* (Madrid, 1903), p. 149.

³¹⁵ AGS, E, leg. 12, ff. 4-6.

³¹⁶ Carlos Javier de Carlos Morales, *Carlos V y el crédito de Castilla: El tesorero general Francisco Vargas entre 1516 y 1524* (Madrid, 2000), pp. 37-49.

I wish you to know who are the Secretaries at present in the ascendancy ... Cobos has all responsibility for Castile, and truly he is in this court, quite verifiably, in favour with His Majesty and everything of these kingdoms passes through his hands. You can well believe, Your Majesty, that he triumphs; the lives of the other Secretaries do not count ... Cobos also delivers all the *mercedes*.³¹⁷

By then most of the members had been changed. The Simancas archives, *sección Estado*, has a document signed by Cobos, writing to Charles, recording some of the changes and referring to the *Consejo* as 'concerned with all the extraordinary things of *Hacienda*.'³¹⁸

It seems that rivalries had been resolved and as Salinas says, 'Cobos was in control.' The President of the *Consejo* was changed from Enrique de Nasau to Francisco de Mendoza, who owed his ascent to Cobos. Cobos's role was pivotal here: he communicated to the *Consejo* the emperor's orders and set the agenda for their meetings. Imperial policies required such a new institution to manage extraordinary income and expenses as Cobos had said in his letter to Charles (cited above). The *ordenanzas* from 1523-25 make it clear that the *Consejo* should manage royal finances. Its main role was to obtain resources for imperial policies. Although this was limited to Castile, the war policies of empire involved expenditure beyond Castile's frontiers, a constant source of friction in the *Cortes*. Responsibilities included raising loans and new forms of taxation. The *Archivo de Simancas* has many *ordenanzas* between 1523 and

³¹⁷ Salinas, p. 210.

³¹⁸ AGS, E leg. 12, f. 3.

1525 granting jurisdiction to the *Consejo de Hacienda* for, among other items: tax-farming; clerical rents; income from the *maestrazgos* (masterships) of the Military Orders, which had been assigned by the popes to King Fernando; the *cruzada* (an indulgence and contribution from the Church to crusade against Islam); and ensuring payment of the *servicio*, which was administered by the towns on behalf of the *Cortes*.³¹⁹ All these were areas within Cobos's competence.

The *Consejo* was in charge of raising the *cruzada* but, during Cobos's absence with the emperor from 1529, Tavera dealt with these negotiations directly, as President of the Royal Council of Castile and principal advisor to the regent, Queen Isabel. There seems to have been a challenge to Cobos's monopoly of the royal ciphers that had to accompany the emperor. Tavera did not have access and thus could not read all the correspondence. He complained to the emperor and to Cobos.³²⁰ His letter to Cobos stated that:

In matters of common interest, Cobos should heed his recommendations, under conditions existing between us, and that Cobos could rely on him doing the same.³²¹

Juan Vázquez de Molina, Cobos's nephew, acted as royal secretary to the regent in Cobos's absence. He wrote to Cobos that Tavera, overwhelmed with detail and work, lacked the ability and will to delegate tasks.³²² Charles's 'Instructions' of 8 March 1529, on the conduct of the

³¹⁹ AGS, E, leg. 12, ff. 4-6.

³²⁰ AGS, E 20, f. 205-207.

³²¹ AGS, E 24, f. 191.

³²² AGS, E 25, f. 224-228.

regency, had defined Isabel's competences, limiting her *poderes*, reserving to himself the power to make appointments, and insisting that she heed the advice of her councils, particularly that of Tavera who was responsible for drafting official correspondence for the empress and Cobos on matters of finance.³²³ One can detect her uncertainty in a letter to Cobos asking him to speak to the emperor on her behalf to clarify certain *poderes*:

Ask the emperor to state what powers the empress has in the Kingdoms of Aragon, Valencia and Cataluña ... on the difficulties to pay for supplies in the current year and the impossibility next year, ... the bad condition of the coastal fortresses and the lack of means to repair them.³²⁴

In this she is clearly reflecting Tavera's views on the need to protect the coast from Moorish invasions and strengthen the North African garrisons. Cobos wrote to Vázquez de Molina: 'do not dispatch anything from the empress without the President (Tavera) seeing it.'³²⁵

Imperial policy required a wholesale reform to finance dynastic projects and increase available resources. Cobos pursued this in a number of ways, using patronage networks to underpin the state administration, and incorporating city and ecclesiastical elites to support Charles's enterprises. Cobos understood that the municipalities were the basic administrative unit of Castile and that he had to co-opt them. Conciliar arrangements for tax-collection and judicial

³²³ CDCV, I, pp. 148-151.

³²⁴ CDCV, I, p. 156.

³²⁵ AGS, E, 42, f. 118.

changes could be reformed in Valladolid, but to be effective the consent of municipalities was indispensable. Tax-farming had gradually been replaced by the municipalities after the *comuneros* revolt. The *Cortes* pressed for an extension of the *encabezamiento* tax-system to facilitate their involvement in the allocation of tax obligations in their regions and the resulting benefits to their network of interests. Although devolving the collection away from the royal treasurers, the Crown was assured of a certain sum while favouring social groups away from court and the older aristocracy.

Institutional reform from the top was inadequate; the political system worked through networks of personal contacts, which Cobos knew very well. Developments such as the growth of bureaucracy and administrative institutions have been well researched, so the thesis will not specify these changes. But such changes should not be viewed from the modern concept of reforms or efficiency improvements; they were undertaken to protect the emperor's patrimony and attain imperial objectives relating to that patrimony. While the administrative changes in councils have been well researched, the political decisions in the municipalities and their connection to Charles's conciliar system need further investigation to deepen understanding of the process of implementation of financial policy. Most municipal documentation is contained in the notarial archives of local communities and this represents a massive task of research. Some local historians, such as those in Úbeda, have provided me with valuable information from that municipal archive.

What is clear is that the towns maintained much of their autonomy, despite changes in the institutional councils and attempts to restrict town privileges. In a fiscally fragmented society Cobos had to bargain with favoured groups, such as the nobility and clergy, who were largely tax-exempt. Their successful resistance to a universal tax — proposed at the joint *Cortes* of 1538-39 — such as the *sis*a to be applied equally across groups, meant that Cobos had to negotiate with these groups separately. In particular, it meant that he had to co-opt the procurators from the 18 towns represented in meetings of the *Cortes* on issues of apportioning the *servicios* voted by the *Cortes*. His tax policies involved co-operating with the cities of the *Cortes* to ensure that both monarchy and the emerging power of the urban elites benefited. This probably best defines Cobos's skill: his ability to move with the tide and recommend policies that would work. Gattinara designed institutions, but Cobos knew that men's self-interest would determine success.

Cobos, Tavera and Taxes on the Clergy

Charles's President of the Council of Castile, Tavera, worked to reform administrative procedures and jurisdictional fragmentation, after the defeat of the *comuneros* in 1522. He strengthened the *audiencias* by transferring litigation from the Council of Castile appeals court, which also enabled the Council to concentrate more on royal administration. He restored the power of the royal

corregidores in the towns, which had been weakened during the *comuneros* revolt and he instituted *visitas* (official inspections) to the chancery of Granada and the *audiencia* of Seville. The *visitador* (inspector) was empowered to audit the judges and replace them where necessary.³²⁶ He appointed judges and *oidores* (court officials) with legal training from the universities and church; and *letrados clérigos* – ecclesiastics with law degrees. This class of prelates had been active in royal government since the Middle Ages, and Charles's Burgundian appointments were a departure from this clerical tradition. Tavera also enforced clerical residency. All these measures were requested in petitions of the *Cortes* of Valladolid in 1523, after the *comuneros* revolt. He built a network of prelates and jurists to serve in the various councils, educated in canon and civil law. Tavera prepared the emperor's address to the ecclesiastical estate at Granada in 1526.³²⁷ This outlined proposals for ecclesiastical tax-reforms.³²⁸

Charles sought justification from the pope and Spanish clergy to tap Church revenues and impose financial obligations to support military expenditures in defence of the faith. He saw the Church as an integral part of his patrimonial jurisdiction. Indeed clergy presided over the appellate court system and were indebted to the emperor for benefices, appointments and promotions. Tavera also

³²⁶ AGS E leg. 15, f. 20.

³²⁷ AGS E leg. 14, ff. 59-91.

³²⁸ Santa Cruz, II, pp. 246-247.

implemented petitions of the *Cortes* of Toledo, 1525, requesting term-limits for judges as well as auditing.³²⁹ The *audiencias* were given jurisdiction over cases involving conflicts between the aristocracy and the towns within the royal jurisdiction to avoid the custom of suspending litigation involving the aristocracy. This followed the emperor's and Cobos's policy of reducing dependence on nobles and establishing closer ties with the towns by involving the urban elites in maintaining royal justice and public order.

Tavera was also appointed archbishop of Santiago in 1524 and, as such, chaplain to the emperor. He became archbishop of Toledo in 1534 and Inquisitor General in 1539. Here was a man in every sense positioned to rival Cobos.³³⁰ Indeed, until 1530, he probably was in the ascendancy. During the absence of both Charles and Cobos he placed his own men at the Inquisition after the disgrace of his enemy, Inquisitor General Manrique.³³¹ It was the custom to replace members of the *Consejo de Inquisición* when a new Inquisitor General was appointed. He also introduced his favourites into the *Consejo de Indias*, which may have been a challenge to Cobos, as the President of the *Consejo de Indias* was García de Loaysa, absent in Italy, and a close confidant of Cobos. His position in the ecclesiastical hierarchy enabled

³²⁹ AGS PR leg. 70, f. 98.

³³⁰ Carlos Javier de Carlos Morales, *El Consejo de Hacienda de Castilla, 1523-1602*, (Madrid, 1996), pp. 34-48.

³³¹ José Martínez Millán, 'Las élites de poder durante el reinado de Carlos V,' *Hispania* (Madrid) 48 (1988), pp. 103-167.

him both to dispense privilege and strive to increase the Church's monetary contribution to Charles's imperial policies, in the name of defending universal Christianity. He also wished to translate the occasional papal grants of *cruzada* to a more regular stream of revenue, which would be more attractive to secure bankers' contracts and thus increase his influence with the emperor.

Tavera and Cobos seem to have worked together on increasing Church taxes and selling the lands of the Military Orders. While Cobos was travelling with the emperor from 1529-1533, Tavera negotiated with the clerical establishment, as President of the Council of Castile, to tax the cathedral chapters and begin the expropriation of the Military Orders. Cobos negotiated with the pope for his approval of these measures. They both had networks of clients and the ability to dispense privilege that made it easier to accommodate supporters. Both men were empowered by the emperor to ensure the stability of his patrimony and dynasty. The original placement of Burgundians in key positions, which had been so much resented, was gradually reduced. Their exchange of letters seems to indicate a harmonious relationship. Tavera seems to have been confident enough of Cobos to write to him criticising the emperor for spending too much time on Italian and French business:

The emperor was better in Spain where he could apply his great thoughts, and Africa, that war with these Moors is necessary and still hard, and reject all that of Italy and France.

There was much opposition to the emperor's Italian trip of 1529, and Tavera's view of empire was more prevalent in Castile than support for Charles's European ambitions.³³²

We have seen that Cobos worked with the cities of Castile through their representatives in *Cortes* to negotiate an increasing amount of *servicios* in return for more independence in the allocation of their burden. It proved to be much easier to deal with the towns's representatives than with the clergy. The clergy's representatives had to agree an allocation of a new tax on their revenues, which had been authorised by the pope. Negotiations were protracted; the bankers complained and the emperor had to threaten the prelates with confiscation.³³³ Juan Vázquez de Molina's letters to Cobos describe the process. Perhaps Cobos was happy to leave the clergy to Tavera. He seems to have had an instinct for where he could be most effective in the emperor's service.

Cobos and Tavera needed to exploit ecclesiastical property and revenues. This meant confronting the pope. Later in the chapter, the thesis will examine how Cobos dealt with Clement VII. The *Cortes* continually sent petitions complaining about clerical abuses and so Charles had sufficient reason to press the pope to call an ecumenical council 'for the health, peace and tranquility of the Christian republic.'³³⁴

³³² BN, Ms, 1778, f.155.

³³³ AGS, E 12, leg. 169-170.

³³⁴ Santa Cruz, II, p. 43.

He issued a royal *cédula* ordering clerics to join his councillors (including Cobos and Tavera, named on the *cédula*) in a meeting in Granada in 1526.³³⁵ The clerics stressed Charles's ancient imperial powers of '*gracia, merced y patronazgo real*' (royal privileges and patronage). The Church, they believed, was an integral part of Charles's patrimonial jurisdiction. This justified the emperor's taxation rights in defence of Christendom.³³⁶ Of course, the clerics were widely present in Charles's judicial and conciliar system, and were indebted to him for benefices, appointments and promotions. Having squared his own clergy Charles could now deal with the pope.

Cobos and Tavera worked to increase the *cruzada*, the *cuarta* subsidy from the cathedral chapters – eliminating papal privileges – and, most importantly, the proceeds from the sale of lands and villages of the Military Orders. Charles wrote to Tavera from Mantua on 4 April 1530:

The pope must quickly seek to force the prelates and indeed the entire ecclesiastical estate, the Castilian and Aragonese monastic houses and the Military Orders, force them all to subsidise a substantial number of galleys, and by doing this soon the *cuarta* negotiations will not be compromised.³³⁷

This is a reference to ongoing discussions with the pope about taxing the cathedral chapters. Difficulties in getting his way with the clerical establishment seem to have cooled Charles's relationship with Tavera, but he continued

³³⁵ Ibid, pp. 44, 45.

³³⁶ AGS, E, leg. 14, f. 228, Granada, 1526.

³³⁷ AGS, E, leg. 21, f. 269.

as President of the Royal Council until 1539, when he was relieved of this position and replaced by his enemy, Fernando de Valdés. Tavera had written to Charles in December 1529 worried about the:

Rumours and negative talk in this court ... taking money outside the customary way ... the *Consejo de Hacienda* that should help more in these things ... some tell me that as President of the Council I am obliged to advise and ask Your Majesty that you do not destroy these realms nor exhaust your subjects by so many demands.³³⁸

This was a querulous letter, shifting the blame for failure to deliver sufficient funds. Charles replied:

As to the rumours that there have been and there are against you for the way the *asiento* of Alonso Gutiérrez, Vozmediano and Enciso, was dealt with, do not pay attention to this, that I know that in everything you do is for our service ... as to *Hacienda*, I believe that there are not the funds necessary ... but I will be served that you, although you have so many burdens and work, look well and understand what is needed and that you provide what is necessary for the good financing of the realm, and that you make no excuses in any way.³³⁹

Charles smoothes Tavera's feathers, but then makes it clear what he expects. He also seems to be encouraging rivalry with Cobos who was the *Secretario de Hacienda* and whom Charles knew was annoyed by Tavera's involvement with the *asiento* negotiated by Gutiérrez, Vozmediano and Enciso, which will be discussed in the next chapter. But this was his style of balancing power in his councils.

³³⁸ AGS, E, leg. 20, num. 204.

³³⁹ CDCV, I, p. 198.

In 1539, after the death of the queen, Tavera had to share the regency, with Cobos and Valdés – the President of the *Consejo de Castilla* and intimate of Cobos – thus lessening his power and that of his followers. The emperor wrote to him on 10 November 1539 restricting his *poderes generales*: he must consult with Cobos and Valdés; Cobos would choose the secretary to the Royal Council (this was his nephew, Vázquez de Molina); Tavera could not issue *cédulas* to make payments from the *Contaduría*; he could not grant *mercedes* without consulting with Charles; he could not appoint people to *consejos* without consulting with the emperor; neither could he give *juros perpetuos* (non-maturing bonds) from the royal income.³⁴⁰ This seems intended to cut him down to size and to emphasise Cobos's importance in matters of finance – the need of which was assuming crisis proportions. He also issued a separate command to his ministers – perhaps Cobos's hand can be discerned here – detailing his 'Instructions' on Tavera's *poderes generales* and emphasising that everything to do with *Hacienda* must be directed to Cobos:

That everything that you write to me and send to consult in business, is with the intervention of the *Comendador Mayor*, of my Council of State.³⁴¹

Valdés's closeness to Cobos is confirmed in Charles's 'Secret Instruction' to Philip, 6 May 1543, where he writes:

³⁴⁰ CDCV, II, pp. 50-53.

³⁴¹ CDCV, II, pp. 53-55.

The President is a good man ... and although I commend him greatly for his agreement with Cobos, it seems to me that he is much subject to him, and that he would remain with Cobos and for him would do things that might not be legal, just to please him.³⁴²

Valdés was indeed Cobos's creature, and Charles was asking Tavera to consult with his enemy Valdés!

Meanwhile, Cobos was appointed *Contador Mayor de Hacienda*, in addition to his secretaryship of *Hacienda*. This made him administrator of all the emperor's finances. Carande writes that he became:

Absolute master of Castile's finances; no other councillor of Charles V dealt with so many business people and rich European bankers as the *hidalgo* from Úbeda.³⁴³

But Tavera had been elevated to Archbishop of Toledo in 1534, in part with Cobos's support, in return for agreeing to Cobos's *señorío de Cazorla*, which was within the gift of the archbishopric. He was also Inquisitor General, so in matters religious he was very powerful. But this seems to be the point where Cobos achieved supreme power in secular matters of finance.

Control and communication were used by Cobos to maintain and strengthen his position. Juan Vázquez de Molina, his nephew, and other members of his network kept him well-informed on Tavera. Tavera often had to guess at the emperor's wishes or use his judgment, which could be

³⁴² Ibid, p. 115.

³⁴³ Ramón Carande, 'El atrayente y ambicioso Francisco de los Cobos (1470?-1547),' in *Siete estudios de historia de España*, (Barcelona, 1971), p. 104.

misinterpreted, as can be seen from their voluminous correspondence in the first two volumes of the *Corpus Documental*.³⁴⁴ His letter to Charles, written as the primate of Spain, 25 April 1539, is an important analysis of the social and economic problems of Castile. He complains of false reports about the *encabezamiento* and *diezmo* raised in Toledo and hopes that he doesn't give 'anger and annoyance' to the emperor by his reports of 'the poverty and pestilence in the land.'³⁴⁵

The Chinese saying that 'the mountains are high and the emperor is far away' captures what happened to Tavera and the difficulty of reaching decisions agreeable to the absent emperor. Power resided in being at the side of the emperor and not deviating from his wishes. It also avoided the dangers of factionalism at court, where rumour could undermine power. Tavera always had to respond to Charles over some accusation or other from the clergy or nobility. Above all, however, it was control over the financing of Charles's ambitions that counted. To be able not only to deliver bankers' credits but also to create new forms of financing to expand the credit base earned Charles's praise. By facilitating regular increases in the *servicios* Cobos repeatedly proved his indispensability to the emperor, as the *servicios* were the means by which credit was created.

To expand ecclesiastical sources of revenue, Charles sought direct negotiations with the pope. Cobos played an

³⁴⁴ CDCV, I-II, Tavera.

³⁴⁵ CDCV, II, pp. 545-546.

influential role in Italy. Italy was usually the province of those in charge of Aragon, such as Gattinara and subsequently Granvelle. It has been shown that Cobos's responsibilities were principally in Castile with the *Cortes* and the *servicios*. This, therefore, needs an explanation. Clearly it was a necessary step to go over the head of his clerical rivals, particularly Tavera. In addition, he had to help his master obtain the coronation in Bologna after the demise of Gattinara. But it also formed part of the need to raise more clerical revenues, which were not voluntarily forthcoming from the establishment in Spain. He needed the papacy to provide the authority to appropriate the land of the Military Orders, issue bulls for a *cruzada*, and levy taxes on cathedral chapters: all strongly resisted by Toledo. It was also the road to Cazorla, always his subtext; the key to gaining a papal bull, which would authorise his acquisition of the *señorío* of Cazorla and Sabiote, and a consistent theme in his actions. Toledo was not going to grant this and he had, therefore, to go directly to the pope.

His circle in Italy was important in extending his influence on the pope. Hurtado de Mendoza, first in Venice and then as ambassador to Rome; Francisco de Borja and his brothers who were cardinals; García de Loaysa as ambassador in Rome, whose correspondence with Cobos has been discussed previously; and the painter Sebastian del Piombo, as the guardian of the pontifical lead-seals. Piombo (whose real name was Luciano) was named '*Piombare*' (lead) in 1531 by the

pope after painting his portrait in 1526. Commissioned by Clement, he also painted Andrea Doria, another important convert to the emperor's cause. Piombo was possibly an exact contemporary of Cobos (1485-1547). His access to papal correspondence, through his guardianship of the papal seals, made him a useful contact for Cobos. He had presented Cobos with a religious painting — *La Piedad*. This has been moved from El Salvador chapel in Úbeda to the Prado Museum. It is a donation from the *Fundación Casa Ducal de Medinaceli*, the family who inherited Cobos's family title — Camarasa. Ferrante Gonzaga, Piombo's patron and general of the imperial armies in Italy, had commissioned the painting for Cobos, and his comment about 'devout Christians' was quoted in the Introduction to this thesis.

These people were all in Cobos's circle and influential with the pope; a mixture of artists, generals and admirals, ambassadors, cardinals, and diplomats. The secretary to Charles's viceroy in Naples, Juan de Valdés — younger brother of Alfonso, Charles's Latin secretary — wrote to Cobos from 1539 complaining about the depredations of Spanish troops. They had been unpaid due to Neapolitan resistance to imperial taxes. He also outlined his political views about the need to defend the propriety of local jurisdiction, criticising the viceroy's tendency to: '*llevara las cosas de Valladolid*' applying the standards of one imperial jurisdiction, Valladolid, to Naples. Cobos's surviving letter to Valdés indicates his high regard for

Valdés's administration and his interest in separate jurisdictional policies for the provinces of empire:

bien sé que vuestro consejo e industria no puede dejar de ayudar mucho a llevar con menos fatiga el peso de los negocios (I well know that your advice and industry has lightened the burden of business).³⁴⁶

This exchange of ideas shows Cobos's involvement in policy and debate about jurisdictional differences. He was not the one-dimensional man, depicted by Keniston, as only being concerned with his privileges and network of patronage. Valdés, like his brother, was a prominent writer on Erasmian humanism and whose book *Diálogo de las Lenguas* was written in 1538 while in Naples.

Cobos, perhaps encouraged by Hurtado de Mendoza — as indicated in the latter's letters to Cobos discussed in the previous chapter — was also part of a circle actively considering the possibility of a General Council. The medieval legacy of General Councils terrified the papacy, as such a Council would be superior to the pope. The emperor repeatedly called for this to resolve the schism in Christian unity. The Council of Trent was finally summoned with Hurtado de Mendoza representing the emperor, but this was after Cobos's death. Cobos perhaps preferred the threat of calling of a Council, as a weapon to use, rather than the Council itself.

In 1523 Pope Adrian required Charles and Francis I to unite against the advancing Turk. Rhodes had just fallen.

³⁴⁶ Daniel A. Crews, 'Juan de Valdés and the Comunero Revolt,' *Sixteenth Century Journal* 22 (1991), p. 251.

Francis procrastinated and instead invaded Italy. Adrian then supported Charles's wish to take control of the Military Orders to obtain funds to defend Christendom. Francis I was defeated at Pavia and taken hostage. However, in 1524 Cardinal Medici was elected pope, as Clement VII, and the Medicis of Florence were traditionally France's bankers and, more important, bankers of the papacy. The League of Cognac, in 1527, was organised by Clement:

To forge the hatred and revenge of the French King and the riches of the English and Venetians into a weapon with which to break the power of the Emperor.³⁴⁷

Charles's response led to the sack of Rome, Clement's retreat to Orvieto and the lifting of the siege of Milan. Santa Cruz, writing in the 1550s, quotes the pope's protest and the Spanish general's reply:

Señor Pope, understand things of Your Church, and leave war to those who must make it; and I tell you we will speak about an agreement only when Your Sanctity removes your people from Milan.³⁴⁸

This must have been difficult for a military pope to swallow, but his troops were forced to retire from Milan. How, then, did Charles and Cobos obtain the financial support of this hostile pope?

The Medici control of Florence was crucial to papal finances; Florentine revenues provided financing for the League of Cognac's military campaigns in Lombardy. But

³⁴⁷ Ehrenberg, p. 86.

³⁴⁸ Santa Cruz, II, pp. 222-223.

Clement lost Florence during the sack of Rome in 1527 and the republicans took over. He had a strategic need to recover Florence for Medici rule. Like Charles, he thought of himself as heir to the Roman imperium and each had their dynasties. Five of the Renaissance popes had been Medici family members, as their papal uncles had named them cardinals. Pope Adrian was a mere two-year break in this sway of the Medici. Charles had already suborned the 'Church's captain of the sea,' Andrea Doria, in 1528 – so vividly portrayed by Piombo in the portrait commissioned by Clement in 1526. So Clement signed the Treaty of Barcelona with Charles in 1529. Charles restored some of the Papal States and agreed to help recover Florence.

The pope agreed to a league of mutual defence, to grant Charles *censo* (tribute) from the King of Naples and a *cruzada* tax to collect indulgences paid to the Church for three years. Clement also agreed to the coronation of Charles as emperor in Bologna in 1530, and to help with the election of his brother, Ferdinand, as King of the Romans. The Fuggers advanced most of the money for this election, backed by the *cruzada*. The Fugger 'court' book itemises loans to Ferdinand.³⁴⁹ The provisions of the Bologna contracts between the emperor and Clement VII allowed Cobos to negotiate terms with the bankers to collect clerical

³⁴⁹ Ehrenberg, p. 92.

subsidies. They included all the cathedral chapters in Castile and Aragon.³⁵⁰

Pope Adrian had already in 1523 issued a bull sanctioning the perpetual incorporation of the *maestrazgos* (masterships) of the Military Orders into the Crown. This allowed bankers to collect revenues from the Military Orders to repay the loans made to buy Charles's imperial title in the absence of *servicios* during the *comuneros* revolt. Given the shortfall in revenues from the *servicios* and the increasing military expenses, Cobos worked to obtain papal approval to permit the sale (alienation) of the land of the Military Orders. The manuscripts in the *Archivo de la Casa de Osuna* in Madrid's *Biblioteca Nacional* illustrate Cobos's role in papal negotiations. The papal bull states: 'granting *gracias* to Cobos.'³⁵¹ Clement gave many *gracias* to Cobos, including a bull sanctifying the chapel of El Salvador in Úbeda and giving Cobos permission to appoint all the *capellanes* (chaplains).³⁵² He also issued a bull granting Cobos's son Diego, underage at seven years, all the prerogatives and privileges in the Order of Santiago in August 1529. This was highly unusual.

The overall result represents the careful negotiation with Clement for the emperor to access clerical wealth, balancing carrots and sticks. Help would be given to restore Florence to the Medici, and Charles's army was omni-present

³⁵⁰ AGS, PR, leg. 62, f. 66.

³⁵¹ BN, Archivo de Osuna, Mss 8446, 8447, leg. 4039, 1, 2, c. 1570, Clemente, Breve expedido por S. S. El Papa Clemente VII a Don Francisco de los Cobos, 1530.

³⁵² Seville. Casa Ducal de Medinaceli, Sección Sabote, caja 3, leg. 3, ff. 46-68.

to remind the pope of the sack of Rome. Cobos needed the pope's support to legitimise the collection of clerical taxes. The result was that Cobos could offer the bankers the security of the *cruzada* and collection of clerical subsidies given by the cathedral chapters, all blessed and endorsed by the pope. A substantial loan followed from the Fuggers and was secured by an *asiento* to collect the tax on the cathedral chapters.³⁵³

There had been strong resistance, especially by the episcopate of Toledo, throughout the 1520s, to the imposition of this tax. Adrian, when acting as Charles's regent in 1520, had written about the impossibility of collecting clerical tribute.³⁵⁴ Although collection of clerical revenues could have been forced, papal canonical authorisation was better. Negotiation was everything. Cobos had skill in knowing his opponents' interests and motivations, and seldom failed his emperor. He did, however, make one irreconcilable enemy — Silíceo — the future archbishop of Toledo. The stripping of the Toledo chapter revenues and much of their ecclesiastical lands was something for which he held Cobos accountable, as we saw in the previous chapter. The appropriation of the Military Orders, engineered by Cobos, led directly to Cobos's purchase from Toledo of the land of the Order of Calatrava in Cazorla; Cobos's future *señorío* of Cazorla and Sabiote.

³⁵³ AGS, E leg. 20, f. 72.

³⁵⁴ AGS, PR, leg. 1, f. 193.

The Military Orders were divided into *encomiendas* (estates) administered by *comendadores* (commanders) who controlled municipal districts, which paid them taxes. Towns and villages in these domains paid *señorial* annuities to their ecclesiastical lords — commanders of the Military Orders. The masterhips of these 'orders' had already been incorporated into the Crown in 1523. In 1530 Pope Clement VII issued a bull allowing the emperor to transfer the property of the Military Orders to his royal domain so that he could auction the property to private investors and use the proceeds on religious wars. The commanders of the Orders received *juros* (bonds) in compensation. Cobos's treasury team appraised the value of the *encomiendas* before auction.³⁵⁵

The nobles and clergy were exempt from the *servicio* but, by selling the property of the Military Orders, Cobos found another way to make them pay, and with papal approval. Cobos also purchased for himself the *señorío* of Cazorla and Sabiote from the Order of Calatrava. Álvaro de Bazán, Marqués de Santa Cruz, victor of Lepanto and, after Cobos's death, *Comendador Mayor del León*, bought his estate at Viso del Marqués from the Order of Calatrava. The Marqués de Mondéjar (a Mendoza, and Cobos's relative through his marriage) bought lands from Calatrava contiguous to his properties at Guadalajara. The *señorío* of Cazorla and Sabiote gave Cobos the independence he sought to establish a

³⁵⁵ AGS, E leg. 24, f. 5.

lineage. Thus church property was transferred into secular jurisdiction, sometimes royal, often *señorial*, with the newly enriched becoming lords with the purchase of *señoríos* and *encomiendas* of the Military Orders and receiving annuities from their towns. The *alcabala* tax was still paid to the royal treasury in most cases. Increasingly, however, former Military Order jurisdictions were sold to include the *alcabala* on transactions within the *señorío*. Thus the royal treasury not only alienated the landed property, but also lost the annual revenue from the *alcabala*. Cobos received *alcabala* revenues for his *señorío* of Cazorla for his own account.

The historical tax-exemption of the cathedral chapters had been abolished and the combination of these new taxes, together with the co-option of the municipal elites to provide increased *servicios*, raised revenues for the imperial enterprises. Tracy shows an increase in clerical taxes from 1523 to 1540 of from 10 to 15 per cent of royal revenues.³⁵⁶ Thus Cobos and Tavera had substantially broadened the fiscal base for Charles's enterprises. But the next chapter will show that this would not be enough, as a liquidity problem morphed into a solvency crisis.

³⁵⁶ James D. Tracy, 'War Finance and Fiscal Devolution in Charles V's Realms,' in *World of Emperor Charles V*, (Amsterdam, 2004), p. 104.

Chapter Five

The Finance of Empire

From Liquidity Crisis to Solvency Crisis

The certainty of credit from *servicios* was deemed to be essential. Bankers understood the municipalities as similar to medieval cities in Italy, which were incorporated, and whose credit was rated higher than that of princes. Hence their preference for *servicios*. 'The bankers were as one in preferring fixed and predictable sums which could not be concealed or falsified'³⁵⁷ The municipalities did not undertake the bankers' debt directly in order to pay their share of the *servicio*, but through allocation to trade guilds within their jurisdiction. It was not until the 17th century that the municipalities burdened themselves directly with debt, entering into contracts with local guilds and investors, with disastrous consequences for the old population-centres of Castile. Ruiz Martín has researched this issue.³⁵⁸

It has been shown in the previous chapter how Cobos broadened the empire's fiscal base and the thesis will now examine how Cobos maintained the bankers' confidence in the face of deterioration in their perception of the creditworthiness of the emperor. Cobos produced a cascade of

³⁵⁷ James D. Tracy, *Emperor Charles V, impresario of war: campaign strategy, international finance, and domestic politics* (Cambridge, 2002), p. 102.

³⁵⁸ F. Ruiz Martín, 'Credit procedures for the collection of taxes in the cities of Castile during the sixteenth and seventeenth centuries,' in *The Castilian crisis of the 17th century*, ed. A. A. A. Thompson (Cambridge, 1994), pp. 169-181.

expedients and, despite defaults and acts of expropriation of private capital, he kept the system going, ramshackle though it may appear. The issue of liquidity rather than solvency was his concern. Recognising the latter would have required policy changes – what economists call fiscal consolidation – which would have been in conflict with Charles's dynastic policies.

By the end of Charles's reign, more than 90 per cent of the *servicios* were consigned to repaying the bankers, especially the Fuggers and Welsers of Augsburg and the Genoese. By then interest rates had risen to 13 per cent plus, indicating the increase in perceived risk.³⁵⁹ They had been around 4 per cent at the beginning of his reign. There are various estimates of the percent of royal revenues (i.e. non-royal domain revenues) derived from the *servicios*. Estimates for 1521 to 1530, calculated in an unpublished doctoral thesis, show that the Crown received from the *servicios* and *tercias* (royal share of the *diezmo* clerical tithes) between 80 and 90 per cent of its income.³⁶⁰ Most of these revenues were assigned to the bankers. All this was reason enough for Cobos to concentrate on the *servicios* and the municipalities that provided them.

Ingenuity, which often appeared as improvisation, was a necessary requirement for Charles's financial secretary. But most important was access to merchants and bankers who could

³⁵⁹ AGS, Escribanía Mayor de Rentas, leg. 372.

³⁶⁰ Charles Hendricks, 'Charles V and the Cortes of Castile: Politics in Renaissance Spain' (unpublished PhD, Cornell, 1976), p. 222.

make loans immediately against the security of the emperor's resources. Charles was considered a better risk than Francis I because his territories were diverse and prosperous. Repayment of credits could be made through a variety of markets and fairs around Europe, all within his territory. In Castile alone, principally at Medina del Campo, fairs (the *ferias de pagos*) were held during Lent, May, August and October when bills would become due for payment.³⁶¹ In the Low Countries payments could be made and funds raised in Antwerp; similarly in Italy, in Genoa and Naples. These fairs differed from the later bourses in the infrequency of their dealings, with only two or four fairs a year. It had been the characteristic form of business concentration for commodities and bills of exchange since the Middle Ages. But given the wide spread of the fairs within his territories, Charles was better able to access funds and handle the payments than his enemies. The bankers who allowed him to accumulate enormous debts — the Genoese and the German Welsers and Fuggers — and the Spanish merchant bankers sustained Charles financially during the 1520s. The Genoese were probably more involved in loan contracts (*asientos*) from the mid-1520s, as the Fugger's capital was tied up in the loans for the imperial title.³⁶² Individual merchants and bankers wielded considerable influence. This was only

³⁶¹ F. Ruiz Martín, 'Las finanzas del Emperador,' in *El Imperio de Carlos V*, ed. M. Fernández Álvarez (Madrid, 2001), p. 175.

³⁶² Carlos Javier de Carlos Morales, 'Carlos V en una encrucijada financiera: las relaciones entre mercaderes-banqueros alemanes, genoveses, y españoles en los asientos de 1529-1533,' in *Carlos V y la quiebra del humanismo político*, 6 vols (Madrid, 2000), IV, pp. 405-429.

reduced by the later development of bourses, such as Antwerp, which brought together large amounts of capital, more widely held and collectively better able to meet the huge demands for funds.

Charles was indebted to the Fuggers for the large loan, which helped him to win his imperial title in competition with Francis I. He was unable to repay under the original terms and therefore granted them a three-year lease to collect rents in money and kind from the *maestrazgos* (the masterships of the Military Orders) from 1524 to 1527. Jacob Fugger had written to the emperor complaining about Charles's failure to honour his solemn promise to repay loans:

It is well known that Your Imperial Majesty could not have gained the Roman Crown save with mine aid.³⁶³

Carande, Ehrenberg, and Kellenbenz are the classic sources on the role of the Fuggers.³⁶⁴

The *maestrazgo* lease, whose anticipated rentals had to be pre-paid in advance, formed the basis of the Fugger's enormous Spanish business. They moved a large retinue of agents and factors to Almagro, centre of the *maestrazgos*. Carlos wrote to the empress:

We must fulfill the *maestrazgo asiento* so that the lease-holders do not complain.³⁶⁵

³⁶³ Ehrenberg, p. 80.

³⁶⁴ H. Kellenbenz, *Los Fugger en España y Portugal hasta 1560* (Madrid, 2000).

³⁶⁵ CDCV, I, pp. 267-268.

Almagro still shows south-German architectural influence. The Fuggers also acquired the management of the nearby quicksilver (mercury) mines at Almadén, and would later ship this to the mines at Potosí to process the crushed silver ore and create ingots to be shipped back to Seville.

The Fuggers' ownership of Habsburg mortgages (dating from Emperor Maximilian) on silver mines in the Tyrol had given them access to mining skills. It was the process of amalgamating silver ores with mercury that unlocked the potential of the American mines and the Fuggers were familiar with this from their mines in the Tyrol. Anton Fugger inherited the business on Jacob's death in 1525 and the Fuggers continued to advance funds to Charles and his brother Ferdinand and to Philip II, until the 1557 moratorium-bankruptcy. Ehrenberg's figures from the Fuggers' 'courtbook' show the enormous debts due from Ferdinand, incurred to help in the defence against the Turk.³⁶⁶

Despite Charles's treatment, the Fuggers were loyal to the emperor and his son until brought down by over-extension of loans, first to help the emperor extract himself from encirclement by the Schmalkalden League at Innsbruck in 1552, and finally by large dealings on behalf of the emperor on the Antwerp exchange. Anton Fugger considered that Cobos's successor as *Secretario de Hacienda*, Francisco Eraso, 'did ill service to his master, who, however, will

³⁶⁶Ehrenberg, p. 88.

have it so.³⁶⁷ By then the Fuggers had lost all trust in Philip II and his advisors. Imperial and Fugger bankruptcies followed in 1557. Cobos had kept credit flowing by rolling-over loans and changing the terms of the *asientos*. Once again Cobos's intervention was decisive and of the greatest importance. He had maintained the bankers' confidence – the essential criterion of credit. After Cobos there was a crisis of confidence.

Recent work in the archives of Simancas by Carlos Morales and Ruiz Martín has highlighted the importance of the Genoese, particularly in the 1530s, when Charles was concentrating on Italian policies.³⁶⁸ Indeed, they were intimately connected with Charles's military activities in Italy. Andrea Doria's family were Genoese bankers and money was always needed for his galleys.³⁶⁹ Doria was commander of a squadron of Genoese galleys who, in 1528, had switched allegiance from the king of France to Charles. For decades after, his galleys were an important part of Spain's naval forces. Charles's ambassador in Genoa was Suárez de Figueroa – later to be ambassador to England's Queens, Mary and Elizabeth. He was active in discussions with the Genoese bankers and was aware of the negotiations in Rome for the *Bula de Cruzada*. His letters and accounts in Simancas show the extent of loans he negotiated with the Genoese bankers.³⁷⁰

³⁶⁷ Ibid, p. 110.

³⁶⁸ Ruiz Martín, 'Las Finanzas del Emperador'; Carlos Javier de Carlos Morales, 'Carlos V en una encrucijada financiera.'

³⁶⁹ A. Pacini, *La Genova di Andrea Doria nell'Impero di Carlo V* (Florence, 1999).

³⁷⁰ CDCV, III, pp. 59-61.

Carande also describes Suárez de Figueroa's activities with the bankers of Genoa and quotes him as writing to Philip on 11 April 1552, recommending fulfilling the bankers' contract terms as soon as possible.³⁷¹ The new papal bull encouraged the Genoese to negotiate an *asiento*, backed by this *cruzada*, when Charles was in Bologna in early 1530. The *cruzada* was an attractive security – a three-year concession to collect indulgences from the ecclesiastical revenues – and often resulted in competition between the bankers for access to its collection. It involved collection fees, often at 15 to 20 per mil, as well as the interest on the advance. They also discounted sums when charging for conversion of income received into gold, their medium of exchange.

Spanish merchants and bankers often also served as officials in the administration. Thus Vozmediano was a secretary in the *Comisaría de Cruzada*, and his brother was in the *Contaduría Mayor de Cuentas*. Juan de Enciso was also a *contador* in the *Cruzada* and maintained a merchant-banking business in Burgos. In 1528 he succeeded Cobos in the office of *Tomar Razón de las Mercedes* (accountant for royal gifts). Vozmediano, Enciso and the treasurer Juan Alonso de Gutiérrez all acted as intermediaries for the Fuggers in negotiating a large *asiento* (contract) in 1530. This was to be assigned to the new *cruzada*, then in process of receiving Clement VII's bull. But they hid their role from the *Consejo de Hacienda*, whose task it was to arrange these *asientos* and

³⁷¹ Ramón Carande, *Carlos V y Sus Banqueros: Los Caminos del Oro y de la Plata* (Barcelona, 1987), III, pp. 374-378.

analyse the terms and conditions. It appears that they were trying to take commissions from both sides, as well as demanding *mercedes* for themselves and their families. When it was known that the source of this *asiento* was the Fuggers, the *Consejo* cancelled the negotiations, on Cobos's instructions, and then re-opened them directly. Carlos Morales, who has written extensively on the *Consejo de Hacienda*, gives details of the conflicting role of Vozmediano and Enciso in negotiating the *asiento* in 1530. He describes the process of negotiation of this large *asiento*, based on documents at Simancas. He vividly shows the complexity of the security offered, terms and conditions demanded, and the rivalry between the *Consejo de Hacienda* and other treasury departments.³⁷² Cobos was travelling with Charles during these years, but was in close touch with his department at the *Consejo*. When he saw the proposals, he drafted a reply for the emperor with annotations setting out their defects.³⁷³ He seems to have been particularly anxious at Tavera's role in supporting Vozmediano who was undermining the *Consejo's* role in secret, independent negotiations with the Fuggers. Cobos wrote to Tavera, in response to his letter, 'the *mercedes* they demanded were not merely a few things for themselves and their families.'³⁷⁴ This letter tries to portray Tavera as naïve in trusting

³⁷² Carlos Javier de Carlos Morales, 'Carlos V en una encrucijada financiera,' pp. 405-429.

³⁷³ AGS, E 21, f. 247-249.

³⁷⁴ BN, Ms 1778, ff. 214-220.

these intermediaries. The *Consejo* had analysed the terms and found them wanting.

Negotiation of loan terms and conditions bear a striking resemblance to modern loan-contracts. The officials had presented themselves to the Fuggers as intermediaries connected to *Hacienda* who could negotiate better terms from *Hacienda*. To Tavera they presented themselves as loyal officials who had convinced the Fuggers to offer a large *asiento*. They would earn commissions from the bankers and *mercedes* from the emperor. The Fuggers would also realise that they needed their services for future negotiations.

Tavera's letters to Charles, writing as President of the Royal Council, agonised over the state of Castile's deficits:

I have communicated with those of the *Consejo de Hacienda* urging them to use all possible means to procure money. They complain much that although they are most diligent they cannot raise the amounts needed.³⁷⁵

This seems to have been a criticism of the *Consejo*, Cobos's department. After the rejection of the terms of the Fugger's *asiento* by the *Consejo*, Tavera wrote to Charles that the '*asiento* was appropriate and most advantageous as much in its amount as in its terms.'³⁷⁶ He later wrote to Charles, that 'Vozmediano and Enciso have incurred many expenses to move the negotiations forward to a successful

³⁷⁵ AGS, GA, leg. 2, ff. 57-58.

³⁷⁶ AGS, E, leg. 20, num. 203.

conclusion.³⁷⁷ Charles's letter to Tavera, 9 March 1532, refers to having received a memorandum from Enciso on how to arrange a large *asiento* and encourages Tavera to follow up on this approach.³⁷⁸ Tavera asked Alonso de Baeza at the treasury to reopen negotiations with the Fuggers and Charles, then with Cobos in Bologna, finally accepted the resulting *asiento*. But the rivalry between the *Consejo de Hacienda* (Cobos) and Tavera, who supported Enciso and Vozmediano's negotiations, delayed the *asiento*. The intrigue of all parties is revealed in letters from Tavera to Cobos in the *Biblioteca Nacional*, Ms 1778 (footnoted above on page 247).

Vozmediano wrote to Charles in February 1530 complaining about the role of the *Consejo de Hacienda* in impeding his negotiations with the Fuggers.³⁷⁹ He insisted that he was a loyal servant of the state and had no other interests. Tavera subsequently recommended that Charles grant *mercedes* for their efforts. Vozmediano and Enciso had bypassed the *Consejo*, going directly to Tavera as President of the Royal Council, behind the backs of the *Consejo de Hacienda* and Cobos. This seems to have been the beginnings of an enduring enmity between Tavera and Cobos. Vozmediano and Enciso negotiated on behalf of Tavera and the regent, Isabel, again in 1532, this time with the Genoese.

³⁷⁷ AGS, E, leg. 20, num. 62.

³⁷⁸ CDCV, I, p. 271.

³⁷⁹ AGS, CJH, leg. 9.

When Charles's ordinary revenues were exhausted, the practice developed to defer paying expenses and instead to accrue them to the following year's income, which simply compounded larger deficits as the expenses spiralled. The nature of these expenses is detailed in a 'report of everything that is necessary,' prior to Charles's embarkation for Italy in 1529. The report included, among other things, military expenses for the army; for Andrea Doria's galley squadron, and the coastal fleet of Álvaro de Bazán (the future admiral of Lepanto); the armed transports for the emperor's voyage; the continuing costs of the Pyrenean frontier defences – Fuenterrabía, San Sebastian and Pamplona – and the garrisons in Africa.³⁸⁰ This deferral of expenses put more pressure on the need to negotiate fresh *asientos* to cover the gap. No sooner had the Fugger contract been signed than the huge expenses of the coronation at Bologna necessitated further funds. Thus, in Cobos's absence, Alonso de Baeza acting as *tesorero general*, was instructed to negotiate again with the Fuggers to make further advances on incomes projected for 1532. The Fuggers did this by deducting the amounts due from the previous *asiento* and thus making a reduced advance through a new *asiento*. Further *asientos* were also negotiated with the Genoese. This necessitated further recourse to extraordinary revenues from sales of the land of the Military Orders,

³⁸⁰ AGS, CJH, leg. 7, ff. 169-170.

sales of town charters, and further issuance of *juros*, among other items. *Juros* (bonds) will be discussed later.

More and more future revenues were either alienated or pledged to *asientos* with the bankers. Financial problems were merely pushed forward into future years. Tavera wrote to Charles in 1532:

The interest rates that the merchants charge are so great that it would be wrong not to inform Your Majesty of how the amount of these exchanges and interest that is being charged is so great that it could sustain the estate of another prince in addition to that which Your Majesty consumes in this.³⁸¹

This seems a very undiplomatic letter that could well have irritated the emperor; it was in the style of Gattinara. Nevertheless, a new *gracia* of *cruzada* was negotiated with the pope and a *servicio* from the *Cortes*. Tavera wrote again to Charles, this time complaining about the harsh effects of the increase in *servicios* on the Castilian economy.³⁸²

Tavera and Isabel permitted Vozmediano and Enciso to negotiate an *asiento* in their own name (to be negotiated and syndicated with other bankers). It was opposed by *Hacienda*.³⁸³ This *asiento* of 1532 contained provisions granting penalty rates of 14 per cent if any payments were delayed at the biannual fairs in May and October at Medina del Campo. Vozmediano and Enciso negotiated this clause again without the review of the *Consejo de Hacienda*. Delays on other

³⁸¹ AGS, E, leg. 24, f. 178.

³⁸² Ibid.

³⁸³ AGS, E, leg. 25, ff. 194, 195, and 199.

asientos arranged by them caused even higher penalties, bringing protests from *Hacienda*, and led to the disgrace of the two intermediaries who had Tavera's patronage. These activities of officials and individuals in the administration were not unusual and were rarely penalised.

As the emperor's financial needs grew more desperate, new unorthodox methods for raising money were sought. Thus the *arbitrios* developed, a practice 'in creative means to procure money for *Hacienda*.' The *arbitrista* would offer his advice on a method to increase royal revenues, which he would then develop in detail on receipt of some *merced* established by a royal *cédula*. This would give him a certain percentage of the revenue raised by his scheme. Most schemes involved selling public offices, creating new royal positions or selling royal jurisdictions to towns and alienating royal property. Various *Cortes* had to remind the emperor of his promise not to alienate crown lands and rents. Various memos, letters and suggestions on raising revenues can be found in the section *Consejo y Juntas de Hacienda* at Simancas, directed to the *Consejo de Hacienda* and often to Cobos himself.³⁸⁴ These would be discussed and sometimes forwarded to the emperor for approval.

Charles, and probably the bankers, confused liquidity with creditworthiness — not dissimilar to to-day's practice where governments seem to believe that increasing liquidity in the banking system will create the necessary growth to

³⁸⁴ AGS, CJH, leg. 9, ff. 138-147.

redeem or service debt. The bankers believed that they had a liquidity risk to their loans – hence they took control off or had assets pledged – when in reality solvency was the problem. Credit and liquidity are intertwined and lack of the latter soon leads to credit difficulties. The *servicios* and other extraordinary revenues, such as the *cruzada*, were used to provide the liquidity of bankers' loans to Charles. These loans contained clauses in the *asientos* requiring payment principally from future *servicios*, or sometimes from rights to collect revenues from specific royal assets. These *servicios* were the financial innovation of the time that, along with the *asiento*, facilitated an enormous expansion in credit. Rather than an asset being the basis of liquidity, liquidity became synonymous with easy borrowing from future cash flows.

Tracy has shown how the bankers monopolised the mechanism of credit transfer through a network of remittance agents, or correspondents, thereby avoiding the slow and uncertain transfer of cash to the armies.³⁸⁵ The banks agreed to pay money through an agent against a bill of exchange to Charles's representatives abroad. The bills backed by *asientos* were short-term loans and were reimbursed at the Antwerp exchange or at one of the fairs held at Medina del Campo in spring and autumn. Antwerp in particular developed

³⁸⁵ James D. Tracy, *Emperor Charles V, Impresario of War* (Cambridge, 2002), p. 309. See also the discussion on this in Geoffrey Parker, *The Army of Flanders and the Spanish Road, 1567-1659* (Cambridge, 1972), pp. 146-156, which usefully brings out the difficulties in the *asientos* and the payment of soldiers in precious metals in the reigns of both Charles V and Philip II.

a market in bills connecting payments and credit mechanisms to other centres. This was often needed for the payment of Spanish soldiers, at their points of assembly, in gold, through bills converting Castile's silver, which backed the *asientos*. Charles had ordained in 1537 that bills could only be paid for in gold. The bankers, therefore, exchanged silver into gold. Braudel describes the role of Genoese bankers in controlling the currency exchange of gold and silver.³⁸⁶ Many of them were resident in Seville and in Charles's court where they negotiated the terms of the *asientos* with Cobos. Like their rivals, the Fuggers, they formed a 'merchant state within a state.'³⁸⁷ They had constituted the largest group of foreigners resident in Seville since the late 15th century, looking for new investments with the emerging trading opportunities in the New World.³⁸⁸ Charles's constant deferral of repayment made the *asiento* a costly form of financing. Penalties for delay were added, and this sometimes doubled the original principal amount of the loan. Future revenues were mortgaged into the distant future. Cobos wrote to Charles on 17 April 1532 complaining about the excess interest charges.³⁸⁹

But the international banking service was a vital requirement for Charles's widespread empire. Through the *asiento* and bills of exchange he could have funds speedily transferred to the locality of immediate need. Giovanni da

³⁸⁶ F. Braudel, *Civilisation and Capitalism*, 3 vols (New York, 1979), III, pp. 160-170.

³⁸⁷ Ibid, p. 169.

³⁸⁸ A. Collantes de Terán, *Sevilla en la baja edad media* (Madrid, 1977), p. 216.

³⁸⁹ AGS, E, leg. 24, f. 178.

Uzzano compiled a notebook in 1442, showing the times taken by couriers to travel between various places, which give an idea of the time needed between the drawing of a bill and its presentation for payment.³⁹⁰ Raymond de Roover has written extensively about the bill of exchange as a form of quasi-money, mostly developed by the Medici bankers in the previous century.³⁹¹ Without the facility of bills of exchange, Charles, with his fragmented empire, would have had great difficulty in paying his troops.

Thus, on the expectation of future funds for repayment, Charles gained an immediate advance and agreement to deposit monies in the principal centres of recruitment of mercenaries. This immediacy and certainty gave him an advantage over his enemies, who were not so well endowed with the security that the bankers required and the great patrimonial wealth that was the basis of Charles's credit. The financing of empire depended on financing arrangements that were backed by such contracts; without this resource he could not have pursued his imperial idea and his political objectives. The emperor and Cobos were fully aware of the importance of these *asientos* but, paradoxically, they were to take measures to undermine the sanctity of the law of contract, the very basis for the credit on which they relied.

³⁹⁰ P. Spufford, *Handbook of medieval exchange* (London, 1986), pp. 35-40.

³⁹¹ Raymond de Roover, *Business, Banking and Economic Thought in Late Medieval and Early Modern Europe* (Chicago, 1974).

Much has been written on *asientos*. The importance of contractual rights was well understood and documented in detailed clauses within the *asiento*, much like today's loan agreements. The *asiento* was a contract from the *Consejo de Hacienda* formalised by means of an *escritura* (registration with a public notary) and issued by order of the emperor, who authorised the contract. Today we would term this a documentary credit. It is interesting how the more formal and all-inclusive a legal contract, the less the trust between the parties. The archive of Simancas conserves thousands of these *asientos*, which have solemn texts illustrating the initiation and *trámites* (stages) of each *asiento*, the parties involved and conditions of issuance up to the final *escritura*. Some of the *asientos* in the *Contaduría Mayor* and *Escribanía Mayor* files at Simancas have been sampled for this thesis and a few of their characteristics are described below. Although Carande and others have researched the *asientos*, Cobos's involvement in drafting their detailed clauses has not been investigated. The manuscripts in the *Contaduría Mayor* follow in great detail the drafting of proposals and their negotiation and amendments. Many of these are annotated in Cobos's hand. The only catalogue is that by Cuartas Rivero on the *Consejo de Juntas de Hacienda*.³⁹² There are some letters in the *Contaduría Mayor* from the emperor stating:

The urgency in finding money, and need for care and diligence ... that which has been agreed with the bankers

³⁹² M. Cuartas Rivero, *Consejo de Juntas y Hacienda* (Madrid, 1987).

be strictly fulfilled, however much it pains to sacrifice my subjects; that we agree to everything asked in order that my credit does not suffer.³⁹³

In his letters to Philip, the emperor continually emphasises the importance of trust and confidence for maintaining his credit with the bankers.³⁹⁴

Cobos's letters are full of amendments and additions in his pen. He followed every detail and change in the *asientos*. Vázquez de Molina, his nephew, also writes to Cobos on the *asientos*, in reply to Cobos's requests for detailed information as he travelled with the emperor. There are also letters to Charles from Suárez de Figueroa, his ambassador to Genoa, about the Genoese banking contracts. The ambassador was very concerned about fulfilling the terms of the *asientos*:

Your Highness should order that the agreements with the merchants be complied with ... sending me proof of how things stand, so that I can collect from those that still owe ... because they do not wish to pay in any other way.

He also writes:

As Your Highness will have seen from the *asiento* that we have with them, they have paid me the first third, and the second they will pay me at the end of this month; the third they do not wish to pay until they learn how that which has been promised has been fulfilled. I therefore humbly request that Your Highness send funds to comply with the *asiento*.³⁹⁵

³⁹³ AGS, CJH, leg. 18, ff. 189-190.

³⁹⁴ CDCV, III, pp. 585-586.

³⁹⁵ Ramón Carande, 'Carlos V: viajes, cartas y deudas,' in *Charles Quint et son temps*, ed. Renouard (Paris, 1958), pp. 222-223.

The Genoese were innovating and introducing staged drawdowns on loans to lessen their risk, which one can find in today's syndicated loan contracts. For non-bankers this means monies were drawn down according to a schedule, thus reducing the average outstanding loans.

Charles gave authority to Suárez de Figueroa to make payments from the *Casa Real*:

To pay the merchants from royal revenues, the best and most certain guarantees that we might have in order that we can fulfill and anticipate payment ... in a way that gives sufficient security ... and that conforms with that agreed in the *asiento*.³⁹⁶

He also wrote to him requesting that he arrange more credits in such a way that the total amounts would be disguised by spreading them among many bankers.³⁹⁷

The formal conditions of the *asientos* guaranteed their payment at maturity; the *cédulas de aprobación* promising to fulfill the clauses and conditions with the full faith and royal word — Charles duly signing with Cobos's *refrendada* (counter-signature). The *Contaduría Mayor* archives have a series of documents acknowledging a moratorium on some *asientos*, and accounts attached to *cartas de pago* (receipts) of creditors show a chronic delay in payment. Excess formality of documentation was one thing; enforcement of contract would be another matter. The Fuggers fared better with their collection or factoring rights on income from the

³⁹⁶ CDCV, III, p. 265.

³⁹⁷ Ramón Carande, *Carlos V y Sus Banqueros*, vol. III, p. 280.

maestrazgos (masterships) of the Military Orders. This was specifically tied to credit for Charles's imperial title.

Our contemporary financial situation has shown how governments act to breach contract rights in a crisis. A part of the Fifth Amendment to the United States Constitution prohibits the taking of private property for public use without just compensation. But that is what the U.S. Congress has recently done in connection with bondholders in the car industry; traditional capital structure priorities were ignored with Trade Union pension funds receiving priority over secured lenders. Similarly, Charles was forced to expropriate private silver shipments and issue low-yielding, long-dated *juros* (bonds) in compensation. Thus the bankers looked to the municipalities for security on their *asientos*, not Charles. But by placing too much reliance on future *servicios* Charles and Cobos were eroding the value of Castile's prime asset: the municipal *servicio*.

Military expenditures vastly exceeded royal 'domain' revenues. As we have seen, the cities controlled much of Castile's revenues and granted *servicios* every three years to the emperor through meetings in *Cortes*. Up to 1530 *servicios* were tied to a variety of Charles's expenses including the upkeep of his household. But from 1530 almost all *servicios* were assigned to repay *asientos*.³⁹⁸ Spanish

³⁹⁸ J. M. Carretero Zamora, 'Liquidez, deuda y obtención de recursos extraordinarios en torno a los servicios de Cortes en época de Carlos V,' in *Carlos V y la quiebra del humanismo político* (Madrid, 2000), IV, pp. 443-461.

bankers and merchants were most active in syndicating loans for the emperor until the mid-1530s, and many of the elites in the towns benefited from these financial services. Their role in managing the allocation of quotas of tax payments for the *servicios* enriched them and enabled them to participate in loans to the emperor. The Church, through the cathedral chapters, also made loans, particularly to help Fernando in his defences against the Turk.³⁹⁹ By the late 1530s most of the *servicios* were assigned to the *asientos* of foreign bankers.

The Fuggers and Welsers dominated from the 1540s. By then more than 90 per cent of the *servicios* were regularly pledged to bankers' loans through the *asiento*, and such loans were granted in anticipation of the *servicio*. The bankers considered this a predictable and quantifiable security. They would, therefore, accept bills of exchange drawn on their agents, say in Milan, for payment of Charles's troops against the security of the *servicios*. The Simancas *Escribanía Mayor de Rentas*, legajo 287, shows a payment order signed by Cobos relating to an *asiento* with the Genoese banker Jacome Centurion, dated 8 December 1534. This, he writes, was to be repaid from the *servicio* to be granted by the *Cortes* in 1535 and would include an 8 per cent rate of interest for any delays. He ordered the *Contadores Mayores* to have Charles's ambassador in Geneva, Suárez de Figueroa, receive 100,000 *escudos* in gold against

³⁹⁹ AGS, *Escribanía Mayor de Rentas*, leg. 231.

a *cédula de cambio* (bill of exchange) to pay for the arming of a fleet against the Turk and Barbarossa. This prepared for the Tunis campaign of 1535.

The 1535 *Cortes* needed to vote a *servicio* to meet Charles's accumulated debts – all previous amounts had been committed to debt repayment. Charles had recourse to advances on future *servicios*, offering a discount on the *encabezamiento*. He also sought help from members of his *consejos* and loans from merchants and the political oligarchy, which Cobos encouraged with promises of *mercedes*. These loans are categorised as *socorro a Su Majestad* (aid to His Majesty) in the *Escribanía Mayor de Rentas*. The interest rate was 8 per cent and repayment was secured against future *servicios*. Charles also began in 1535 the fateful sequestration of the silver fleets, which would damage his credit irretrievably and substantially raise the cost of financing. Carretero Zamora lists the names of individuals who had their gold and silver confiscated, including the amounts and source of repayment. Most were merchants from Seville, but a Welser is also on the list.⁴⁰⁰

Cobos and Alienation of Royal Rights

Analysis of Cobos's method of operation is revealing. He first worked with the existing tax-system of *alcabalas* to obtain lump-sum payments of *servicios* from the towns. This met the emperor's criterion of immediacy. He then looked for

⁴⁰⁰ J. M. Carretero Zamora, 'Fiscalidad extraordinaria y deuda: el destino del servicio de las Cortes de Castilla, 1535-1537' *Espacio, Tiempo y Forma*, 8, (1995), pp. 34-39.

new sources of revenue from tax-exempt bodies. But the process of sale of jurisdiction and alienation of royal patrimony eventually undermined royal finances. The fragmentation involved meant a loss of control and loss of the cash-flows from future revenues. In the sale of the Military Orders, Charles received immediate funds but lost future streams of revenues that would normally have grown with the increasing wealth of the country. The *encabezamiento* supplied by the towns created a close network of merchants and officials to provide a tax-raising service to the royal treasury and deliver funds more promptly. But the extension of networks of patronage, at which Cobos was so proficient, and which underpinned the state administration, enhanced the corruption of the political elites in the towns, giving them more opportunities for self-enrichment. Tavera wrote:

Those who must pay the *servicio* were those who are the least able to afford it, the most in need, and yet merchants and people of means end up paying nothing.⁴⁰¹

Tavera and Cobos were both concerned that the tax burden on the towns would encourage depopulation, as people moved to *señorial* jurisdictions to escape royal taxation.⁴⁰²

Helen Nader researched how Charles increased his income in part by the sale of royal town charters to villages wishing to escape onerous burdens of the church, *señoríos* or

⁴⁰¹ AGS, E, leg. 24, ff. 233-35.

⁴⁰² AGS, E, leg. 16, ff. 334-35

overweening town councils.⁴⁰³ This antagonised the municipalities from whose jurisdiction these villages were often escaping – it undermined their fiscal strength – it also violated the royal founding-charters granting all land within the municipal territory to the city.⁴⁰⁴ The sale of royal charters could significantly reduce the tax base of the municipalities. Many petitions to the *Cortes* complained about the undermining of royal jurisdiction by this process, and frequently expressed themselves against royal alienation. The *comuneros* had petitioned to repossess alienated royal estates. Charles would promise not to sell more municipal territory – until the next time.⁴⁰⁵ But many villages were escaping a disproportionate tax-burden imposed on them by their municipality, which collected taxes from the villages within its territory. The collection of the *alcabala* through an *encabezamiento* gave the municipalities fiscal autonomy enabling them to vary taxes within their regions. The villages, therefore, bought townships from the emperor to secure autonomy in their tax collection.

For Charles the sale of royal charters was another source of income and an offsetting increase in the royal domain, as well as additional security for bankers' loans. It did, however, further fragment the administration of tax collection that had been devolved to the large towns as *cabeza de partida* (principal tax collector). Creating more

⁴⁰³ Helen Nader, *Liberty in Absolutist Spain: the Habsburg Sale of Towns, 1516-1700* (Baltimore, 1990).

⁴⁰⁴ Colmeiro, V, p. 155.

⁴⁰⁵ AGS, E, leg. 41, f. 76.

self-administering towns and more independent *señoríos* increased the numbers of entities responsible for justice and tax collection. Nader shows the fall in numbers of villages throughout the 16th century. The large medieval territories belonging to a few hundred towns were carved up into many smaller territories belonging to new towns that formerly had been villages.⁴⁰⁶

Charles had inherited jurisdictional fragmentation, with strong independent regions and territories, but he greatly increased fragmentation and overlapping jurisdictions by the policies he pursued. To some extent the contradiction of the long-term alienation of royal property with the need to raise revenues was offset by the sale of town charters, extracting ecclesiastical wealth and confiscating the lands of the Military Orders. Charles inherited a reduced royal domain. Much was sold by the Trastámara kings to pay for their wars, resulting in the creation of independent *señoríos*. Enrique IV, on ascending the throne in 1455, had granted the higher nobility the right to collect royal rents in their *señoríos* and deduct the value of any *mercedes* (royal favours) that had been granted, passing on to the king any remaining income. This 'imprudent policy' was compounded by an increase in *mercedes* resulting in an 'inexorable reduction' in royal incomes and the 'constitution of an aristocratic State, although with a

⁴⁰⁶Nader, p. 124.

monarchic head.⁴⁰⁷ In his testament of 1554 Charles instructed his son Philip:

To be diligent in conserving the royal domain, ... and not to sell, alienate, or encumber any of the cities, towns, jurisdictions, income, or taxes, of their kingdom.⁴⁰⁸

He had no such compunction in alienating Church property — by diminishing its domain — despite the traditional prohibition on such alienation. What he wrote and what he did, however, were often different.

Most importantly, Charles began a process of alienating his own right to collect *alcabalas*. This he did through sales to the new *señoríos* created by the auctions of land from the dis-established Military Orders. Often these sales included the right to collect annual *alcabalas*. Treasury officials estimated the value and thus the purchase price of these alienated rights, based on past collections from specific towns. But in areas of commercial growth, individuals would often pay the treasury more for the *alcabala* than the *señorial* land and jurisdiction.⁴⁰⁹ The *alcabala* was a 'royal right' of the *señorial* regime. By foregoing this high-yielding income the treasury damaged future revenues, and alienation of these royal rights was a serious matter for which Cobos must share responsibility. As the *Cortes* became aware of this erosion of their powers of

⁴⁰⁷ M. A. Ladero Quesada, 'Instituciones Fiscales y Realidad Social en la Baja Edad Media Castellana,' *Revista de Historia del Derecho* (1976), p. 138.

⁴⁰⁸ BN, BAE 82, Fray Prudencio de Sandoval, *Historia del Emperador Carlos V*, (Madrid), III, pp. 533-551.

⁴⁰⁹ AGS, CG, legs. 281-284, 251-362.

tax-collection, they petitioned to deduct from the *encabezamiento* the value of the alienated *alcabala*, because the tax burden had to be increased for the remaining towns, given the fixed quota of the *encabezamiento*. Additionally, Charles had to respect *juros* that were *situado* (secured) on *alcabalas* from towns whose *alcabalas* were sold. This could greatly reduce the sale value to the treasury. It is therefore uncertain if this expedient was wise, as it undermined the tax base. By the early 1550s sixty per cent of Charles domain income (*renta ordinaria*), that is, before the collection of *servicios* and clerical contributions, was committed to paying *juros*.⁴¹⁰

By alienating *alcabala* revenues he also lost future revenue from the growth in trade, but it certainly strengthened the *señorial* regime and the incomes of *comendadores* such as Cobos. Cobos ensured, when he purchased Cazorla and Sabiote from the Order of Calatrava, that the sale included rights to collection of *alcabalas* from his towns and villages. The Medinaceli archive in Seville conserves manuscripts of the sale of Sabiote *alcabalas* to Cobos, along with the associated *privilegios*, signed by Cobos's treasurer, Alonso de Baeza, on behalf of the emperor.⁴¹¹ The archive of Simancas conserves records of many

⁴¹⁰ Manuel Torres López, and Pérez-Prendes, *Los Juros: aportación documental para una historia de la deuda pública en España* (Madrid, 1963), p. 32.

⁴¹¹ Casa Ducal de Medinaceli, Sección Sabiote, caja 3, leg. 1, nums. 14 B and C.

of the individual *señoríos* acquiring royal *alcabalas*, including those of Cobos.⁴¹²

Although compromising the emperor's future revenues by selling off an important part of his tax-base – and thus undermining public finances – the sales of *alcabalas* may have been necessary, given the immediate 'urgent' needs of war. It was yet another quick way to provide for these needs and, as ever, Cobos met his emperor's demand for immediacy. Cobos and Granvelle had negotiated a peace treaty with France at Fitou in 1537–1538 that could have stabilised imperial finances. It required Charles to grant the Duchy of Milan to the Duke of Orleans (the future Henry I). But Charles gave the duchy to his son Philip, so causing another war with France. Cobos's work was often undone by Charles's dynastic decisions, indicating where Charles's real interest lay. There was a financial crisis, but family came first.

A document signed by Cobos and directed to the royal treasurer, Alonso de Baeza, dated 20 July 1539, seems to have begun the process of alienation. It authorises him to sell *alcabalas* up to a fixed annual amount of 4,500 ducats.⁴¹³ It follows on from the failed *Cortes* of Toledo of 1538, which had rejected Charles's appeal for a *sisá* (excise tax). Charles and Cobos were facing another financial crisis with huge debts and the need to raise more. Other remedies had to be found. The manuscript reveals the purpose of the sale: to cover expenses of occupying Tunis; and the need to

⁴¹² AGS, CG, legs. 281–284 and 899–904.

⁴¹³ AGS, CG, leg. 899, doc. 1.

maintain naval and military forces to contain the Turk after a recent naval defeat off Prevesa. Charles needed to borrow large amounts at very high interest rates:

That menaces with serious damage the public finances, as royal revenues and help from the kingdoms are insufficient to meet such costs.⁴¹⁴

Thus the treasurer, Alonso de Baeza, was authorised by Cobos to sell *alcabalas* to ecclesiastical bodies and/or to individuals, like him. The amount of this authorisation was further increased in 1543.

The *alcabalas* had for centuries been the key to royal wealth in Castile. The historical importance of the ancient regalian right to *alcabalas* was such that not even the Trastámaras had sold this right when granting towns and villages to their noble supporters. This was an important policy change that shows the deterioration in Charles's credit. Charles and Cobos began the injurious process of alienating these rights and probably undermined royal authority and prestige among the elites. It certainly made the bankers raise their interest rates on his credit. It was yet another example of the long-term consequences of short-term expediciencies. Everything was sold for today's needs and to pay for short-term bankers' loans, instead of developing a cheaper longer-term market in *juros*. But Cobos did keep the wheels of credit turning for his master, his principal objective.

⁴¹⁴ Ibid.

Cobos, Juros and Silver

So far the importance and role of the *juro* in Castile's system of finance has not been fully explained. A *juro* was a legally recognised right for the title-holder to receive periodically from the royal treasury a certain sum. Traditionally, they were granted through a royal *merced*, a *merced regia* (a royal act of grace), as part of the kings' patronage to loyal retainers, and represented participation in royal incomes, principally the *alcabala*. They therefore represented an annuity, sometimes perpetual, handed on to heirs. But the main thing to note here is that there was no exchange of capital in return for the annuity. The exchange was more one of an intangible 'service' to the Crown. This therefore was perpetual debt, effectively de-capitalising the royal domain.

The *juro* was a security based on the income stream from the *alcabala*. They were issued with typical Castilian formalism: in leather, with lead seals and silk ribbons, naming the holder; the principal amount; the royal income (often by named town) on which it was secured; granting royal guarantees that the annuity would not be reduced; the right to sell the *juro* and the right of the king to redeem it at call. A *juro* therefore had many features of a modern treasury bond, including a secondary trading market for pricing irredeemable bonds, the *juro por vida*. Merchants considered the *juro* a negotiable instrument and speculated on *juro* prices between fairs at Medina del Campo. As the prices fell with over-issuance, so they bought up *juros* at a

discount, hoping to redeem them at face value on maturity. For Charles and Cobos the *juro* was less expensive than bankers' *asientos*, which were only for short-term loans and carried increasingly heavy interest-rates. However, despite the formal promises of repayment, it was too tempting to expand their use and flood the market in *juros*. This undermined the secondary market in negotiable *juros* and so excluded the possibility of the *juro* substituting financing by *asientos*. A market in long-term *juros* could conceivably have lessened the financial pressure on Charles and Cobos by creating a treasury bond market. Throughout his financial experimentation Cobos sacrificed duration of credit for ready availability. This is a major criticism of his work. But he was responding to his emperor's needs for immediacy. In modern finance a shortening of debt maturities usually implies credit problems. In Cobos's case that was the starting point, and thus insolvency would come sooner.

The need to compensate the Military Orders and the expropriated silver fleets caused a growing issuance of long-term *juros* assigned or *situado* on royal *alcabalas*, which added to creditor's pressure on that unique instrument of Spanish tax. Increasingly, issuance exceeded the value of the security -- particularly with the royal sale of *alcabalas* as described above. The *juros* had to be converted or consolidated with a reduced rate of interest and deferral of capital repayments, in the manner typical of defaulting governments in crisis. When, eventually, the *juro* income could not be collected, due to insufficient *alcabalas*, the

treasury had to resort to a 'hierarchy' of repayment. There were *juros* of *primera*, *secunda* and *tercera* payment, (first, second and third mortgages). Charles and Cobos had created a complex instrument of debt destruction without the benefit of modern-day credit derivatives and banking 'quantitative' analysts. *Juros* were closely tied to the *alcabala* and this interconnectedness, or high correlation, as the 'quants' would say, undermined the credit of both. Ehrenberg's conclusion that finance and credit of the empire rested on 'the hopelessly deranged finances of Spain' is still a valid judgment, as it all collapsed with the bankruptcies of 1557.⁴¹⁵ The German and Italian merchant bankers, who were so essential to Charles's policies, became themselves dependent on the emperor. The Fuggers' commitments were particularly concentrated on the Habsburgs; that led to their ruin.

Privileges of *juros* were principally granted as a royal *merced*. The *Consejos y Juntas de Hacienda* at Simancas records *juros* by grants of *mercedes* and the value of annual income promised. The *Escribanía Mayor de Rentas* in the Simancas archive classifies *juros* and *mercedes* to individuals in alphabetical order. Cobos is named as a beneficiary of many *juros*. There were different kinds of *juros*, such as inheritable, perpetual *juros*, *juros por vida* (life annuities) and *juros al quitar* (fixed-term annuities.) The holder could trade *juros al quitar*. The *juro por vida* could be exchanged for *juros al quitar* to lengthen debt

⁴¹⁵ Ehrenberg, p. 101.

maturities and therefore reduce the cost of servicing debt. There is an immense amount of information on *juros* in the *Archivo Histórico Nacional*, the *Biblioteca Nacional*, the *Archivo General de Simancas*, and the *Real Academia de Historia (Sección Salazar)* in Madrid. Some of these manuscripts, such as the concession of a *juro* for the expropriation of the Order of Calatrava's land in Guadalajara, have been examined in order to understand their particular form.⁴¹⁶

Many of Spain's foremost historians have worked on this vast body of material, but it is a daunting task. The papers are scattered through many archives and the palaeography is particularly difficult. Antonio Matilla Tascón worked on much of this material for the earlier reign of Isabel and Fernando, and catalogued some of the information.⁴¹⁷ Torres López and Pérez-Prendes have partly catalogued documents relating to *juros* in Charles's reign and brought some system to the classifications.⁴¹⁸ The *juro* was too easily granted as a royal *merced*, entitling the holder to a claim on royal income – generally the *alcabala*. It has been criticised as encouraging the holder to live off the high interest rates instead of engaging in 'wealth creation' so engendering a nation of rent-seekers. This is a classic criticism of Spanish economic development, or lack thereof, in its Golden Age.

⁴¹⁶ Real Academia de Historia, Sección Salazar, Ms 6.

⁴¹⁷ A. Matilla Tascón, *Declatorias de los Reyes Católicos sobre juros y otros mercedes* (Madrid, 1959).

⁴¹⁸ Torres López and Pérez-Prendes.

There were other forms of decapitalisation, such as the effects of perpetual, heritable entailment (*mayorazgos*) on capital formation. This issue will be discussed in Chapter Six. In part, such dependency related to the silver inflows which raised costs while stimulating domestic demand, which could not be supplied competitively by local manufactures, so that imports undercut domestic manufacturing and agriculture, leaving rent and services as the main economic activity. This thesis will not further research the *juro*. The *Archivo Histórico Nacional* alone has over 2,000 *legajos* in thirteen books from the 15th to the 19th centuries. Sánchez Belda's book is a helpful introduction.⁴¹⁹

Cobos was running out of room to manoeuvre in deploying Castile's credit. We have seen how Ambassador Suárez de Figueroa wrote desperately from Genoa 'that terms agreed with the merchants be fulfilled.'⁴²⁰ The continual defaults on *asientos* made bankers demand stricter 'conditions precedent' to lending. New loans would be issued after deducting part-payment of old loans. Clauses were introduced into *asientos*, suspending loans until the bankers' agents in Castile were satisfied that the conditions of the contract could be met.

The Genoese also introduced delayed draw-downs on loans; tranches of loans only being advanced when 'conditions precedent,' formally stated in the texts of

⁴¹⁹ Sánchez Belda, *Guía del Archivo Histórico Nacional* (Madrid, 1958), pp. 85-98.

⁴²⁰ Ramón Carande, 'Carlos V: viajes, cartas y deudas,' in *Charles Quint et son temps* (Paris, 1958), pp. 222-223.

asientos, had been satisfied. Such prior conditions are a feature of most present-day loan-contracts. Among these conditions, they sought to ensure that the treasury had available funds in some defined proportion to the debt incurred – an early test of financial leverage. The Genoese insisted that their *asientos* had attached *licencias de saca del oro y de la plata* (export licenses for specie) to export from Castile the equivalent specie of the sums they had loaned.⁴²¹ They were anticipating exchange controls. The *asientos* incorporated sophisticated banking terms and conditions, but they were essentially dependent on the sanctity of the law of contract. Already, in previous reigns, there had been strict laws prohibiting the export of specie and the *Cortes* frequently petitioned against the export of gold. Ehrenberg describes the difficulties the Fuggers had in exporting gold via the Pyrenean frontier at Fuenterrabía for the election of Charles's brother, Ferdinand, as king of the Romans in 1530.⁴²² Salinas wrote to Vázquez de Molina, on 2 October 1530, seeking his help in getting gold to Charles's brother, Ferdinand, who once more was being menaced by the Turks. His letters tell how he had to smuggle the gold out of Spain. He repeats the story at great length in a letter to Cobos dated 19 October 1530. He informs him of the secret dispatch of precious metals:

I being so well known, I could not avoid being suspect in this business. Your Grace can believe that I had a

⁴²¹ Ruiz Martín, F., 'Las finanzas del Emperador,' in *El Imperio de Carlos V*, ed. M. Fernández Álvarez (Madrid, 2001), p. 175.

⁴²² Ehrenberg, p. 92.

lot of problems in this business ... trustworthy people had to be found to carry the goods to a suitable place.⁴²³

Salinas is quite tedious in his pretension to secrecy and the difficulties of the transfer; he was clearly looking for a reward of *mercedes*. Gold was the main means of paying soldiers, and difficulties in moving bullion out of Spain were a constant problem. There continued to be a reluctance to issue export licenses and a wish 'to avoid the blood drain of gold and silver from the kingdoms of Castile.' The Fuggers often had to smuggle gold secretly out of Castile, as it was extraordinarily difficult to obtain permission. But Charles also allowed his favourite bankers to ship bullion from Spanish ports and sell it at a premium in foreign markets, in exchange for more loans.⁴²⁴ It was not until the 1550s that precious metals were frequently sent to make payments in Genoa and Antwerp, and to the recruiting centres.

The growth of silver remittances from the Americas provided a new source to pay bankers' loans and was perhaps the reason bankers continued to lend, despite the renegotiated contracts. Silver was effectively Charles's printing press with new currency entering the financial system to provide bankers' collateral, rather than being used to make productive investments. But the increase in sequestration of the fleets made this less reliable as a

⁴²³ Salinas, pp. 502-505.

⁴²⁴ J. Lynch, *Spain under the Habsburgs, Empire and Absolutism* (New York, 1964), p. 56.

source of bankers' security. Thus credit and solvency were further endangered as private shippers diverted cargos, and the finely tuned system of registration at the *Casa de Contratación* was not working because of diverted and smuggled silver. The Bancroft library in Berkeley has a privately printed monograph by Engel Sluiter analysing gold and silver shipments from New Granada and the viceroyalty of Peru, from 1540 to 1590.⁴²⁵ He produced tables showing bullion declared for taxation, and the taking of the royal *quinto* (royal right to a fifth of precious metals mined) after smelting and refining in the royal foundries. He then compared specie declared with that arriving in Spain, using Earl Hamilton's figures based on documents in Seville's Archive of the Indies. As the silver flow increased so did the gap between the quantity declared in the Indies and that arriving, indicating a very large leakage through smuggling and privateering.

After the dismissal of the 1538 *Cortes General*, all private silver was confiscated from the fleet of that year in exchange for low-yielding, long-maturity *juros*. This is a form of expropriation also practised today, as in Chavez's actions in Venezuela and the 2001 bond defaults in Argentina. The confiscation followed on from the fleet expropriation of 1535 to pay for the Tunis campaign. Carande states that Charles paid for the Tunis campaign entirely from the silver confiscations 'without requesting bank

⁴²⁵ Sluiter, Engel, *Gold and Silver of Spanish America* (Berkeley, CA, 1998).

loans.⁴²⁶ Cobos counter-signed Charles's *cédula* for the 1538 fleet confiscation:

To seize all the gold and silver from the Indies fleet of Blasco Núñez Vela ... because there are no other means in these realms that can help and succour us.⁴²⁷

Núñez Vela was the first viceroy of Peru, who subsequently died fighting the rebellion there. His fleet had also brought Cobos's share of treasure from his rights as 'assayer of specie' in the New World, which will be discussed in the next chapter. There is evidence in the Archive of the Indies that this confiscation may also have been due to Cobos's wish to protect his share, which was in dispute. His *mayordomo* and *contador* (personal administrator and treasurer) in Peru, Verdugo de Henao, had discovered that some of Cobos's treasure had been improperly consigned to the royal treasury during the confusion caused by the revolt of Manco Inca. It was registered in Seville, arriving with Núñez Vela's fleet. The Indie's archive shows demands by Cobos to the emperor for restitution, resolved in his favour by a royal *cédula* of 25 August 1540.⁴²⁸ Once again Cobos's private and public interests are fully revealed.⁴²⁹ The thesis will examine how Cobos protected his American wealth in the next chapter.

Various *Cortes* petitioned the emperor to desist from seizing private treasure. Charles's *cédula* in 1538 promised

⁴²⁶ Carande, III, p. 183.

⁴²⁷ Ibid, p. 180.

⁴²⁸ AGI, Lima, leg. 566, lib. 4, f. 88.

⁴²⁹ AGI, Lima, leg. 25.

not to repeat the practice 'even in times of great necessity,' but he continued to do so. Charles was warned by Cobos of the resulting distress to merchants in Seville and of the damage to trade. Effectively he was de-capitalising the merchant trade and destroying his credit and solvency. The *Cortes* of 1538 stated that:

Taking the Indies money from merchants in Seville, and giving them *juros* causes much damage. There are those from whom it is taken who can no longer do their business and, little by little, trade will decline, because they cannot make payments, and also royal revenues will decline because of the cessation of trade.⁴³⁰

Here was a clear understanding of the consequences of confiscation. The seizure of private capital further undermined an already shaky system of finance capitalism, which above all calls for certainty in ownership and the law of contract. Cobos wrote to the emperor on 7 August 1543, reviewing, among other issues, the state of finances.⁴³¹ This is an important letter from Cobos to Charles, and is possibly the one most openly critical of the emperor. This letter is a thorough review of the financial crisis and the 'scarcity of money.' He almost swamps Charles with detail in an effort to convince. His custom was to summarise issues for Charles's information and approval, so this is a departure from his normal style. He also refers to a possible need to call a *Cortes General* of all estates to consider a *sis*a. Cobos knew that the emperor had sworn never

⁴³⁰ Colmeiro, V, p. 141.

⁴³¹ *CDCV*, II, pp. 150-160.

to ask for a *sisá* again, although clearly it was in his thoughts, as revealed in his 'Secret Instruction' to Philip of 6 May 1543.⁴³² This indicates how serious Cobos considered the situation. He also warns that, 'if the war lasts, everything will be bankrupt, because there is no money in the entire realm.' This may be a reference to the civil war in Peru, between the forces of the viceroy and the *encomenderos*, led by Gonzalo Pizarro, which was impeding silver flows, rather than the future bankruptcy of Spain. It is interesting that many of Cobos's most important letters are written shortly before his death and when he was no longer travelling with the emperor – including his long reply to Charles's enquiry about Philip in 1543, which has already been discussed. These surviving letters seem to show an urgency to influence the emperor to attend to policy at home. Tavera and Suárez de Figueroa had also tried to do this. But even when peace was signed with the French, at Crépy in 1544, Charles moved on to other conflicts. There were always the Lutherans and the Turks and other imperial projects.

Although only 18 years of age, the emperor's son, Philip, showed his growing maturity in a series of letters to Charles in 1545.⁴³³ They support Cobos's concerns about the financial crisis and the 'exhaustion of the kingdom.' His letter of 25 March 1545 summarises the kingdom's financial resources in similar detail to Cobos – possibly in

⁴³² CDCV, II, pp. 106-120.

⁴³³ CDCV, II, pp. 355-372, 373-374, 382-385.

part drafted by Cobos — and he pleads for the 'humilde pechero Castellano' (the humble Castilian taxpayer). He also warns, on 4 February 1544, about the effect on credit of silver sequestration and is quoting back his father's advice that 'without credit you can do nothing.' He resists Charles's demands for sequestration:

One should not seize gold and silver, to avoid greater damage ... the owners were many people, merchants, and poor people. Renouncing sequestration would avoid business problems with the bankers and the ruin of some.⁴³⁴

He suggested raising voluntary loans from the nobility, clergy and merchants and most importantly recommended negotiating peace with France. Carande suggests that Philip was assisted in writing this letter 'by advisors such as Cobos.'⁴³⁵ Carande calls the silver seizures 'un secuestro disfrazada' (a disguised sequestration).⁴³⁶

Charles replied, agreeing with Philip but ending by asking him to raise money for Doria's galleys and defences against the Turk. He would like to:

Ease and relieve public finances, but needs are so great and ineluctable that we must help ourselves from all sources ... news of the arrival of the Turks outside Vienna ... we have obligations.⁴³⁷

Charles places his policy in context for his son: money must be found; peace would be nice but events were crowding in, and the financial condition of Castile was unimportant

⁴³⁴ Carande, III, pp. 250-251; *CDCV*, II, pp. 187-204.

⁴³⁵ *Ibid*, p. 252.

⁴³⁶ *Ibid*, p. 284.

⁴³⁷ *CDCV*, II, pp. 336-343.

in this context. His 'Instructions' were always a series of dynastic commands and were often in conflict with the economic interests of the realm.

The *Casa de Contratación* formally registered the embargoed silver treasure. Consequently a detailed record of each seizure is available in the *Archivo de Indias*.⁴³⁸ When the fleet arrived in the summer of 1546 it carried 600,000 ducats of specie for private owners; only 50,000 ducats belonged to the Crown, and the merchants of Seville were convinced that the entire cargo would be seized. Cobos wrote to Charles on 17 August 1546:

God knows how much I am weighed down, and I wish to have these ducats for the needs of the realm.⁴³⁹

During Cobos's time the silver shipments were only a small part of the treasury's revenues. It was not until the enormous flows arrived from Potosí in the late 1540s that the texts of the *asientos* show silver as the new, predominant form of security. By then most other royal revenues were fully committed to pay the *asientos* and *juros*. According to Haring:

In spite of the volume of silver from the American mines, the Habsburgs could not have played the political role to which they aspired in the 16th century without the help of foreign capitalists. These were the ubiquitous Genoese and German bankers, who received assignments of royal revenues.⁴⁴⁰

⁴³⁸ AGI, 139, 1, 6, lib. 9, f. 186.

⁴³⁹ Carande, III, p. 284.

⁴⁴⁰ Haring, p. 24.

The silver was largely transferred from Castile to pay bankers throughout Europe, with a transformational effect on the societies and economies receiving the silver. Silver was shipped to Italy and Flanders to pay mercenaries to defend against French invasions. The silver windfall increased borrowing (the elites felt richer) which the banks encouraged by taking their security from the revenues of next year's fleets. But there was always a tendency to over-estimate these future revenues and thus further over-extend the Crown's credit. The bankers were also basing their credit evaluation on anticipation of future tax revenues -- the *servicios* -- thus emerging insolvency was continually postponed. This is similar to municipal bond financing in the U.S. where bankers and investors lend against next year's taxes -- so-called tax-anticipation bonds. The quality of collateral was too often based on future revenues rather than credit analysis of an operating business. It was what we today call 'sovereign risk financing' with all the attendant false assumptions of default protection.

Many contemporaries blamed price increases on international trade and the *Cortes* attempted to restrict exports of grains and cloth. This only reduced the overseas market for Castile's tradable goods and made for further reliance on rents and services. The increase in revenues from silver raised the exchange rate, making exports even less competitive in international markets. Castile's principal exports were wool, leather goods, oil and salt but these all declined in value due to the effect of silver on

the exchange rate. Much has been written about whether such an increasing quantity of silver had inflationary consequences or whether a rise in population was the primary cause. The latter would have increased food (grain) and energy (charcoal) prices, as is shown by the statistical series by Phelps-Brown and Hopkins.⁴⁴¹ Similarly, the data presented by Braudel and Spooner also show these relationships.⁴⁴²

Current historiography seems to dispute Earl J. Hamilton's classic argument for a causal connection between prices and silver inflow.⁴⁴³ It is more probable that silver imports powerfully reinforced an existing trend caused by population growth and scarcity of food and energy, as well as an earlier large increase in silver production in central Europe. Jordi Nadal's statistical research has shown that the proportional increase in prices was higher during the half century before American silver arrived in quantity (1501-1550.) So this was less likely to have been an initial cause of inflation.⁴⁴⁴ He shows how grain, livestock and wood prices soared and how farm wages stagnated.⁴⁴⁵ Thus money-wages lagged behind the rising cost of living and real wages fell sharply, while *señoríos* (like Cobos) increased their rents and charges on rights of passage, (pasture, tolls, and

⁴⁴¹ Phelps-Brown and Hopkins, *A Perspective of Wages and Prices*, (London, 1981).

⁴⁴² Spooner and Braudel, 'Prices in Europe from 1450 to 1750,' in *Cambridge Economic History of Europe* (Cambridge, 1959), IV, pp. 374-486.

⁴⁴³ Earl J. Hamilton, *American Treasure and the Price Revolution in Spain, 1501-1650* (Cambridge, MA, 1934).

⁴⁴⁴ Jordi Nadal, 'La revolución de los precios españoles en el siglo XVI,' *Hispania* (Madrid), 19 (1959), pp. 503-529.

⁴⁴⁵ Ibid, *España en su Cenit (1516-1598)* (Barcelona, 2001), pp. 157-159.

bridge crossings). Social inequalities worsened. The chronicler, Alonso Santa Cruz's plea to the emperor to escape Seville because of the 'high cost of living in Seville, caused by the immense inflow of money,' is a contemporary reference to the hardship.⁴⁴⁶

It is unnecessary for the purposes of this thesis to follow this controversy or that of the so-called 'Dutch disease' or 'resource curse' in great detail.⁴⁴⁷ Yet the fact that both Cobos and Tavera were aware of such a dearth in the daily lives of the *pecheros* (tax-payers) is clear from their letters to each other and to Charles.⁴⁴⁸ There were always fears of another revolt of *comuneros*. But Cobos had co-opted the town elites and they were largely insulated from these economic trends. Mauricio Drelichman of the University of British Columbia gave a paper, at the annual meeting of the Atlantic History Seminar at Harvard in 2005; it was subsequently published.⁴⁴⁹ His is probably the most current work on this vexing question about silver and inflation. He constructed a price series and consumption basket from the account books of Castilian hospitals, royal households (Juana, Charles's mother) and monasteries from 1531-1600. This showed a sharp rise in prices of the chosen series from 1545-1555, coincident with the discovery of Potosí.

⁴⁴⁶ Santa Cruz, II, p. vii.

⁴⁴⁷ Term coined by the *Economist*, 28 November, 1977, pp. 82-83.

⁴⁴⁸ BN, Ms 1778, ff. 1-97. Papeles tocantes al Emperador Carlos V.

⁴⁴⁹ M. Drelichman, 'The Curse of Montezuma: American Silver and the Dutch Disease.' *Explorations in Economic History*, vol. 42, (2005), pp. 349-380.

This chapter has dealt in detail with the various financial credits and forms of raising money to meet imperial needs. What seems clear is that the overwhelming influence of financial activities on the economy as a percentage of total output of goods and services did weaken incentives for more productive economic pursuits and strengthened rentier activity as the principal economic objective, causing a decline in traded goods and a drain on the real economy from the growing burden of debt. The state absorbed more and more resources from the private sector, including seizure of private bullion and the preference for investment in *juros* over productive manufacturing. Thus output of goods was insufficient to meet peoples' needs and this also was inflationary. It is noteworthy that in our contemporary crisis of finance capitalism, in most advanced economies financial sector turnover is many times larger than total gross domestic product. In the United States six banks alone in 2010 controlled assets amounting to more than 60 per cent of the country's gross domestic product, an unhealthy concentration and overdependence on one source of wealth.⁴⁵⁰ The financial instruments described above and the nature of the contracts (*asientos*) bear a resemblance to contemporary methods of credit creation, although in a form which Marx called 'primitive capitalism.' The *juro* was an incipient long-term bond-market; bills of exchange were actively discounted in various markets – without the market-

⁴⁵⁰ Simon Johnson and James Kwak, *13 Bankers, the Wall Street Takeover and the Next Financial Meltdown* (New York, 2010), pp. 202-203.

making activity of bourses; bankers used foreign exchange transactions to enhance yields; and there was an appreciation of the value of gold in uncertain times. Perhaps the markets and instruments were primitive compared to the exotic instruments of today, but we can see the shoots of modern finance-capitalism with its benefits and risks – this may well have been the first crisis of finance-capitalism.

Cobos was faced with a perpetual need for liquidity – cash to pay mercenary troops, among other things – which became a series of crises. These liquidity crises progressed to a solvency crisis as credit dried up in anticipation of default. Today, we would call this 'a systemic breakdown of the credit mechanism', where no one is willing to lend. This became the inherited crisis that Philip II and his advisors – many trained by Cobos – faced on his accession to the throne. Cobos and his network were fully occupied in raising money and extending terms of defaulted payments when necessary. Charles's regents, viceroys and ambassadors were similarly involved. It was only when Cobos died that the machine broke-down, leading to the first bankruptcy. In his book on Charles's funding of war, Tracy supposes that restructuring of principal and interest payments did not represent a default. In this he is wrong. It was a default on the bankers' terms and Spain's future cost of money and credit rating would reflect the greater risk.⁴⁵¹ The terms of

⁴⁵¹ Tracy, p. 309.

the note or contract required payments to be made as they became due. Failure to meet the conditions of the contract and the re-writing of its terms would be considered as a default and a sign of a serious credit problem. The bankers continued to lend for a while but shortened maturities – a classic response – and raised the interest rates. It was therefore not only a dynastic inheritance that Charles left to Philip, but a legacy of financial ruin.

Cobos adapted finance to support the political objectives of his master. He needed to raise revenue largely from the *Cortes*, representing the *pecheros*, as the aristocracy rejected all attempts to levy a general tax on them. This allied him with the towns. He developed the market for *juros* to raise revenue from all classes, including the aristocracy. This, to some extent, got around their refusal to be taxed. The eventual depreciation of the *juro* was a form of tax. He then secured bankers' loans on assets (the silver fleets and the *servicios*), which were again secured on issues of *juros*. A pyramid of debt was created where no one knew the underlying credit risk. Today we would call this 'a Ponzi scheme', named after a 1940s U.S. swindler of postage stamps. Everyone assumed that the sovereign would not default.

Over-optimistic expectations for a continuing windfall of silver fuelled current and sumptuary consumption. The *juro* became a political tool and a popular blend of saving and speculation. What economists term 'predatory rent-seeking' became the economic system. Its purpose was to

generate rents for those with political power, such as Cobos. The state became a vehicle for competitive rent-seeking — income for those whose support was needed for the elites to maintain their power. These concentrations of political and financial wealth were self-reinforcing: riches being used to enhance political influence and strengthen the economic power of the elites. This is familiar in the Russia of today's oligarchs. But it can also be seen in the growth of Capitol Hill lobbying in the U. S. and the explosion of executive remuneration, especially in financial services, which diverts huge sums from the risk-takers — the shareholders in the businesses. Preference by elites for appropriating wealth — rent-seeking — rather than creating it through entrepreneurial activity was paradoxically intensified by the resource curse of silver.

Thus financial collapse would come from a mix of imperial policy, financial process and social attitudes — the ease of investing in *juros* as opposed to engaging in demeaning commerce. There was always a preference for entailing land through endowing perpetual *mayorazgos* — *las manos muertas* (the dead hands) of land. This will be discussed in the next chapter when describing how Cobos created his own *mayorazgo*. Of course, soaring commodity prices, an overvalued exchange rate, and unwinnable wars provided the macro-economic background to what seems an inevitable collapse — the fate of debtor empires. A financial crisis on this scale would eventually bring a major geo-political shift in power, as perhaps is now

occurring between the U. S. and East Asia. Charles Kindleberger, the late economic historian, identified several causes of decline in nations, among which were resistance to taxation by the elites, inequality, corruption, mounting debt and finance becoming dominant in the economy. He saw a long-term correlation between wealth creation, the capacity to raise revenue and military strength. This he believed constituted a life-cycle of an imperial power.⁴⁵² All of these factors, including an unsustainable imbalance of revenues and expenditures, were present in Cobos's Castile.

⁴⁵² Kindleberger, C., *World Economic Primacy, 1500-1990* (Oxford, 1996).

Chapter Six

Property, Testament and *Mayorazgo*

The emperor's secret 'Instructions' to his son, Philip, written from Palamós before embarking on another campaign on 6 May 1543, perhaps contains the best assessment of the emperor's opinion of Cobos. It is therefore worth quoting a lengthy extract. It is one of a series of 'Instructions' giving fatherly advice, in the form of dynastic commands, to a son on the governance of Spain in his absence. Brandi considered that these political testaments are 'the best source of our knowledge of Charles's character and intentions.' Juan March thought they were 'a synthesis of the art of government of that time, and rules for actions of a good prince.'⁴⁵³ There are many versions of these 'Instructions' and Berthold Beinert has judged the authenticity from, among other things, stylistic comparisons with other documents and selected versions found in Granvelle's papers.⁴⁵⁴ This thesis has primarily consulted the text included in Fernández Álvarez's compilation of letters.⁴⁵⁵ The 'Instruction' of 1543, written when Philip was sixteen, is an attempt to review the qualities and defects of the principal counsellors who would advise the young

⁴⁵³ Karl Brandi, *Carlos V: Vida y fortuna de una personalidad y de un imperio mundial* (Madrid, 1943), p. 486; J. M. March, ed., *Niñez y Juventud de Felipe II*, 2 vols (Madrid, 1941), II, p. 8.

⁴⁵⁴ Berthold Beinert, 'El testamento político de Carlos V. Estudio crítico,' in *Carlos V: Miscelanea de estudios en el IV centenario de su muerte*, ed. by Manuel Fernández Álvarez (Granada, 1958), pp. 401-438.

⁴⁵⁵ CDCV, II, pp. 110-111.

prince. It was also written at a time of extreme financial difficulties; that perhaps accounts for the central role given to Cobos in the document. Charles first praises Cobos:

He has experience of all my business affairs and is very well informed about them; I well know that you will not find anyone that will serve you better in these matters. I know that he will do it well and cleanly [honestly].

He then seems to revoke the *mercedes* of greatest importance to Cobos and his family:

I have granted him many *mercedes*, but sometimes he would hint at a desire for more; they were granted to honour him, as with others. You should treat him with all respect and assure him that I did not do more for fear of making others grumble. One great and too big a privilege is the income for assaying, smelting and weighing of specie in the Indies. He has this for himself and his son. You should compensate the son in other ways. He has received some bulls from the pope granting him the *Adelantamiento* of Cazorla. I have issued a *cédula*, co-signed by Granvelle, that if the bulls are made effective and his son receives the *Adelantamiento*, his appointment as *fundidor* (assayer of Indie's bullion) can be removed. Granvelle has the *cédula* and, if I die, you can ask him for it and use it to revoke the *merced*. He also has a *merced* for salt-mining in the Indies, which at the moment does not amount to much but might with time become of high importance. When I die, it would be well that you revoke this and also from any others that hold similar privileges and any regalian rights you should keep for yourself and not confer them on your counsellors. I know they will be asked for and it would be better to leave them to enjoy the *mercedes* I have already given them.⁴⁵⁶

Charles clearly links the removal of the precious metals 'privilege' from Cobos's son, Diego, to the newly acquired *cédula* for the *Adelantamiento* of Cazorla, which would be extended to Diego. The post of *fundidor*, *marcador* y

⁴⁵⁶ Ibid.

ensayador was transferred to Diego by a royal *cédula* signed in Augsburg on July 8 1548 but Charles reserved the right to change its terms.⁴⁵⁷ This apparent stripping of Cobos's honours is against Charles's own estimation of the importance of reputation and authority, which he continually wrote was synonymous with honour. Cobos considered honour as the product of the emperor's esteem. And the emperor recognised this in his second approval of Cobos's *mayorazgo*:

To enable you and your wife to be more memorable and your descendants to be more honoured and better to serve the Crown ... we give license ... to create a *mayorazgo*.⁴⁵⁸

The emperor even acknowledged here that the *mercedes* granted to Cobos during his life would be included in the *mayorazgo* even after the death of Cobos.

Whoever of you remains alive after the death of the other can place in the said *mayorazgo* all goods and *mercedes* acquired and leave them to the beneficiary of the *mayorazgo*.⁴⁵⁹

Charles was clearly violating the terms of the *mayorazgo*. A fuller abstract and translation of the emperor's granting of the *mayorazgo* privilege has been included as an appendix to better understand its definitions and the limitations imposed. Royal *mercedes* were the source of Cobos's wealth, unlike the great nobility who had accumulated property over the centuries. But, for Cobos,

⁴⁵⁷ Archivo General de Indias, Patronato Real, leg. 170-71.

⁴⁵⁸ Seville, Archivo de la Casa Ducal de Medinaceli, Sección Sabiote, caja 3, leg. 1, num.

16.

⁴⁵⁹ Ibid.

only two *mercedes* constituted the largest part of that wealth: the post of *fundidor mayor* in the Indies and the rents and taxes from the *Adelantamiento* of Cazorla. The second of these will be discussed later. But it is clear that Charles was striking at the root of Cobos's wealth endowment by linking these two privileges in his 'Instructions' to Prince Philip.

The concept of *hidalguía* (knighthood) was measured by the opinion of others. A removal of favours would therefore constitute a lessening of esteem and a loss of honour. Was this to be Cobos's ultimate reward for loyal service? He had married into a noble lineage — the Mendozas — and by marrying both his children into the great nobility he did give his descendants a noble name. It is time to discuss the nature of *mayorazgo*.

As it was important to maintain noble status it was thought appropriate for the head of a family to restrict sales of his land after he had passed it on to his eldest son. Various legal devices were used to prevent descendants selling land or using it in a way that might reduce the family's status. The amount of land owned was a form of index of status. Nobles therefore engaged in entailing property through *mayorazgos*, which were used to consolidate wealth through a property regime favouring stability over conquered territory, and granting a privileged juridical status as well as encouraging permanence and defence of a moving frontier during the *Reconquista*. Property within a *mayorazgo* could not be confiscated through litigation if

awarded as a royal edict; it was perpetual, inalienable, and indivisible among heirs. Such a perpetual right was desirable to consolidate the *Reconquista*. The laws of Toro in 1505 had regulated the *mayorazgos* forbidding alienation of patrimonial property, but allowing the newly enriched to establish *mayorazgos*. Nobility, of course, also had goods and revenues which were not tied to a *mayorazgo* and were therefore freely available — *bienes libres* — as personal property. The assets and revenues in *mayorazgos* tended to be a drag on economic development given the legal limitations on the availability of these assets. They were not allowed to be sold and thus could not be pledged as collateral; therefore capital for improvements could not be released.

The system was transferred to Spanish colonies and large *mayorazgos* gave noble status to the newly wealthy conquistadors. The 'dead hands' of the *mayorazgo* lasted until the 1820s when the *Ley de Desvinculación* disestablished *señoríos*. Trust law in the British colonies in North America restricted heritable land transfer to one generation. Estates could thereafter be pledged, sold or freely transferred. The right to transfer land title was encouraged through laws making unreasonable restrictions unenforceable. 'Unreasonable', for example, in the colony of Virginia, was defined as beyond the life of a then living person plus 21 years. Trusts or wills that provided

otherwise were not enforceable.⁴⁶⁰ Land was therefore a productive asset, enabling the accumulation of capital based on the wealth of land and debt using land as security. This was an extension of English common law from Shelley's case of 1581, which limited the term of entailment. Given the restrictions of the *mayorazgo*, the nobility in Spain often had recourse to specific clauses in their *mayorazgos* to ask their king for a royal licence to release some of these frozen assets, indicating economic pressure on the nobility.

Cobos wanted wealth and honour but he also considered duty and sacrifice for his emperor. Above all he sought to establish a legacy, a permanent and indivisible entailment of property: a *mayorazgo*. This would give him the needed social status to deal with the higher nobility, and enjoy juridical privileges that came with his *señorío* of Cazorla and Sabiote. Keniston has analysed the document of inventory, including the property and incomes, establishing the *mayorazgo* under royal privilege in 1541. The emperor, as requested, confirmed the document of *mayorazgo*. Keniston's translation states that:

Cobos's wish is to enhance his home and lineage ... a desire of all men to perpetuate and renew their being by committing temporal wealth, and entailing in perpetuity such wealth, so that it cannot be dissolved or diminished, to his eldest son (primogenitus), Don Diego de los Cobos, Adelantado de Cazorla.⁴⁶¹

⁴⁶⁰ I am indebted to Mr. G. C. Seward of the eponymous New York law firm, Seward & Kissel, for this information.

⁴⁶¹ Keniston, p. 241.

Inheritors therefore had no dominium over the property, but could exchange or substitute assets with other noble *mayorazgos*, which was sometimes done to make estates contiguous. When he wrote to Charles – possibly his last letter – on 25 January 1547, he spoke of his illness:

I am at the point of death, the illness has lasted five months and I have no strength to sign letters.

But he writes mainly about finances and *asientos* and ways to raise money for his emperor.⁴⁶² To the last he is acting as a dutiful servant and the emperor appears to view him as such, willing to shower him with honours during his lifetime, but not to elevate him to the ranks of a grandee, nor to accept the permanence of privileges beyond Cobos's lifetime. The emperor, then on military campaign in Germany, replied to Cobos's letter on 20 March 1547. He expressed his concern for Cobos's health and informed him of new *asientos* arranged by Eraso, Cobos's successor, and María in the Netherlands. He also writes about various appointments and *mercedes* and thanks Cobos for giving him details on the increased expenditure on the royal *infantas* and the figures on new cargoes of gold and silver, which Philip had also provided. Clearly, despite his illness, Cobos is still on top of things.⁴⁶³

To Cobos the importance of entailing a dynasty was the very crux of his actions. This was to be funded in many ways, but the 'privilege' of revenues from assaying American

⁴⁶² CDCV, II, pp. 512-515.

⁴⁶³ CDCV, II, pp. 518-526.

treasure was a very important part. This amounted to one-per-cent of the assayed value. Mines and metals had always been considered a source of wealth and Cobos had already acquired *mercedes* for mines in Spain.⁴⁶⁴ The thesis will now assess how valuable this was to Cobos and how he ensured collection, accountability and detection of fraud through his network of clients. Mendibúru referred to these 'rights' as 'the *derecho* of Cobos,' or Cobos's tax, considering it a tax on the smelter of the gold and silver delivered at the foundries in Peru, similar to the emperor's *derecho* of 20 percent or royal *quinta*. When the Cobos levy was revoked it became part of the Crown's treasury revenue.⁴⁶⁵

Already, in a *cédula* of 1 November 1539, the emperor had persuaded Cobos to accept a reduction in these 'rights' in return for the perpetual *Adelantamiento* of Cazorla, which Charles had supported.⁴⁶⁶ So Cobos may have had some suspicion of the emperor's ultimate intentions. In Chapter Three, the thesis showed how Cazorla was eventually lost – through litigation with the Church in Toledo – to Cobos's heirs. So Cobos's tragedy was to come full circle – *finis origine pendit*, the end depends upon the beginning. Soon after Cobos's death litigation also began over his one-per-cent 'rights,' and in 1549 a petition was made to the Council of the Indies, which ordered finance officials in the Americas to investigate all payments made to Cobos from 1524 until

⁴⁶⁴ AGS, E. leg. 13, no. 128, leg. 14, ff. 85-86. Mines in Murcia, Lorca and Cazorla.

⁴⁶⁵ Manuel de Mendibúru, *Diccionario Histórico-Biográfico del Peru* (Lima, 1932), vol. 4, pp. 194-196.

⁴⁶⁶ AGI, Patronato, 170, no. 51.

his death, particularly in view of the practice of collecting the one- per-cent before the royal *quinta*. However, before the case could be decided, a royal decree was issued in 1552 revoking the privilege granted to Cobos and his successors, as Charles had suggested in his 1543 'Instruction' to Philip.⁴⁶⁷ The amounts received by Cobos's heirs were simply too great to be permitted. Charles had not envisaged the riches of Potosí, which were coming on-stream in the late 1540s, and his financial needs were even more critical. The amounts destined for Cobos's heirs were far greater than Cobos had received in his lifetime.⁴⁶⁸

Royal *cédulas* were sent to the governors in the Americas to place all funds from Cobos's 'rights' into the royal treasuries for the Crown's account. Cobos's son, the Marquis of Camarasa, had to sign an *escritura* renouncing these 'rights' in favour of the emperor. In return Charles agreed to pay an annual stipend, eventually converted to a *juro* assigned on the *Casa de Contratación*.⁴⁶⁹ However, Cobos's wife, María — whom Charles had believed to be 'too fond of gifts ... and who led Cobos astray' — pleaded with the emperor against the royal *cédula*. She alleged that the agreement in 1539 was only about a possible reduction of the 'rights' and not their elimination. Further, it was linked to the grant of a perpetual *señorío* on Cazorla. This was now compromised through litigation by the Toledo archbishopric pending in

⁴⁶⁷ J. M. March, II, pp. 23-34.

⁴⁶⁸ AGI, Indiferente General, 1802.

⁴⁶⁹ Archivo de la Casa Ducal de Medinaceli, Sección Sabiote, leg. 4.

the Roman Curia. María even persuaded members of the Council of the Indies to petition – unsuccessfully – the monarch to increase the *mercedes* to Cobos's heirs in lieu of the loss of the 'rights.' The emperor agreed to assign from the 'rights' an amount he deemed sufficient to compensate both Doña María and the Marquis of Camarasa.

Cobos's last will and testament is dated, in Úbeda, 8 May 1547 (he died on 10 May 1547). The testament has been transcribed from the Sabiote section in the Medinaceli archives in Seville.⁴⁷⁰ Its condition is very poor. An abstract is included as Appendix Four. Cobos named Hernando Verdugo de Henao executor and trustee, a measure of his esteem for that individual. He acted as a major-domo to Cobos's household and kept order in his affairs. Cobos declared his last wishes to him in his capacity as an *escribano público*. Verdugo de Henao also drafted the financial statements from Cobos's account books on 18 May 1547. The emperor issued a *cédula* to the legal authorities permitting Verdugo de Henao, in the name of María de Mendoza, to collect rents and debts owed to Cobos.⁴⁷¹ As Keniston has used these papers to estimate the value of Cobos's estate, with an inventory of his property and income at the date of his death, it need not be repeated here. But the original manuscript, in the ducal archive, was consulted.⁴⁷² There are many contemporary estimates of Cobos's

⁴⁷⁰ Ibid., 1, pieza, 17.

⁴⁷¹ Archivo General de Andalucía, microfilm no. 463.490-498.

⁴⁷² ACDM, Sección Sabiote, 1547, leg. 6, 26. List of Cobos's assets and income.

wealth and income, but given that not all his papers were sent to Simancas nor remain in the Medinaceli archive, it is impossible to know the precise sums. Keniston's methodology for valuing gold and silver received from Cobos's post as *fundidor* may, however, be questioned. He takes this as one-per-cent of Hamilton's estimates of the yearly average of all specie from the Indies from 1541 to 1545.⁴⁷³ But we know that much of Cobos's share was uncollected, subject to litigation or simply deferred by a note payable.

With Cobos's usual precision, uncollected debts were listed, some from the various royal treasuries in the Americas that had been stolen by corrupt treasury officials, particularly Alonso Riquelme as treasurer of Peru who had been empowered to collect Cobos's 'rights.'⁴⁷⁴ Cobos never realised the bonanza of Potosí and as we have seen this benefit was removed from his heirs before they could cash in.

Cobos included in his *mayorazgo* all payments that might be made after his death: he took care to foresee contingencies and was a master of detail. He wished to preserve and build on his wealth for future generations. He even foresaw possible litigation against his *mayorazgo*, such as a contesting of accountings. This did happen after his death. His daughter's husband, the Duke of Seso, Gonzalo

⁴⁷³ Keniston, pp. 315-318.

⁴⁷⁴ ACDM, 18, no. 1. Relación hecha por Verdugo de Henao de los bienes, rentas y deudas que poseía el comendador mayor de León al tiempo de su muerte (list made by de Henao of the goods, incomes and debts of Cobos at the time of his death).

Hernández de Córdoba, son of the El Gran Capitán who had driven the French out of southern Italy, tried to access the *mayorazgo*. Diego counter-sued for the return to the *mayorazgo* of part of his sister's dowry. The Royal Chancery of Granada ordered the duke to appear before it.⁴⁷⁵ An *escritura de concordia* was finally agreed.⁴⁷⁶ Cobos had provided for protection of his assets from any future claims. This he did in part by receiving royal *cédulas* from the emperor approving the *mayorazgo*, which made it very difficult to challenge. Cobos was aware of challenges to *mayorazgos* in other families, particularly the various branches of the Mendozas, where different parts of the family had tried to detach wealth from the *mayorazgo* of the properties in Guadalajara and Santillana through litigation or illegal seizures of property.

Cobos had appointed Verdugo de Henao in 1536 — on receiving a report of accounting irregularities in the royal Peruvian treasuries — to travel to Peru and verify the accounts with especial relevance to his 'rights.' He managed to extract large sums from the treasurer Riquelme to carry back to Spain, after establishing deficiencies in his accounts.⁴⁷⁷ His arrival in Seville and the amounts of the cargo is registered in the archive of the Indies.⁴⁷⁸ However, not all was paid in specie, and Riquelme signed a mortgage

⁴⁷⁵ AGA, microfilm, 194.005-053.

⁴⁷⁶ AGA, microfilm no. 463.500-559.

⁴⁷⁷ The Harkness Collection in the Library of Congress. *Calendar of Spanish Mss concerning Peru, 1531-1651* (Washington, DC, 1936), pp. 95-96, doc. 400.

⁴⁷⁸ AGI, Indiferente General, 1801.

to Cobos which was still unpaid at the time of the latter's death and is included in Verdugo de Henao's accounting of Cobos's wealth. The Peruvian historian, Teodoro Hampe Martínez, has cross-referred the sums relating to Cobos's 'rights' with various records in the Indies archives, for example, the section in the AGI, Indiferente General 1801-1802, on shipments arriving from New Castile (Peru) and marked as consignments of gold and silver for Cobos.⁴⁷⁹

Cobos's 'rights' were calculated at one-per-cent of the value of gold and silver, prior to deposit in the royal foundries. Thus it was levied before the royal *quinta*. The practice established early was for all metals (mined or resulting from ransom, such as the booty from Inca Atahualpa) to be deposited in royal foundries where they would be assayed, taxed and stamped with the royal seal, weighed and valued, reserving a fifth of the value for the royal tax. Treasury officials kept detailed accounts of all gold and silver passing through the assay office and sent a statement each year to the *Casa de Contratación* in Seville. The form of Cobos's collection prior to the royal *quinta* was finally changed after Cobos's death, but by then the royal privilege of Cobos's 'rights' was about to be removed. Cobos's 'right' was granted in 1522, initially for New Spain (Mexico). This was previous to his appointment in 1524 as secretary of the newly created Council of the Indies. In

⁴⁷⁹ Teodoro Hampe Martínez, 'Incidencia de los "Derechos de Cobos" en la Hacienda Peruana.' *Anuario de Estudios Americanos*, Tomo XL, pp. 253-295.

1527 it was extended to all the discoveries.⁴⁸⁰ The document footnoted below (AGI, J. 1020) deals in great detail with these 'rights.' Cobos was given the additional privilege of *ensayador* in 1535. His 'rights' of *fundidor y marcador* were collected by the royal treasurer, but that of *ensayador* by his own nominated representatives. These were additional to his 'rights.'

Cobos ensured that powers of attorney were issued to the various viceroys in the Americas to collect his 'rights.' They obliged, in the hope of *mercedes*, and to maintain influence at court. He also had his clients sell offices in the various *audiencias* throughout the Americas, even arranging for the appointment of Pedro Alvarado as *Adelantado* of Guatemala. Alvarado had married a niece of Cobos and was a business partner, agreeing to share in any new wealth, including slaves shipped from Africa.⁴⁸¹ When a 'jurist of accounts' was finally appointed in 1543, after Peru's civil war, Cobos ensured that Agustín de Zárate who was an *escribano* of the Council of Castile received the post and acted as his tax-collector. His official title was *Contador General del Perú* and he was charged to examine the royal treasury accounts, inspect collection practices, check balances (*alcances*) of royal officials and remit monies due. This was part of the implementation of the New Laws of 1542 to establish more efficient government in the colonies and

⁴⁸⁰ AGI, Justicia, 1020, no. 1, pieza 5.

⁴⁸¹ Antonio de Herrera, *Historia General de los Hechos de los Castellanos en Tierra Firme* (Madrid, 1591).

to safeguard the Indian population from some of the practices of the early colonists who had established their own feudal organisation for exploiting labour and tribute. In Valladolid, Bartolomé de las Casas had successfully lobbied with the emperor for better treatment of the Indians. Cobos had warned that this would create dissent among the colonists who would lose some of their rights to divide (the *repartimiento*) up the Indian population as vassals within their *encomiendas*. Cobos therefore supported the *encomenderos* against Las Casas.

There is a manuscript in the Lilly Library of Indiana University describing how Zárate arranged for the collection of Cobos's 'rights.' It names the various people delegated to this task for defined periods in different districts of Peru. Proceeds from the 'right' as *ensayador* (official valuer of precious metals) for gold and silver would be shared equally between Cobos and the collector, with all expenses paid by the collector. However, the one-per-cent 'rights' corresponding to the office of *fundidor* (royal furnaces where metals were smelted) and *marcador* (function of measuring, weighing and stamping of precious metals) would all be paid to Cobos, 'in the same way as the taxes collected by the treasurer for His Majesty.'⁴⁸² It was only after his death that Cobos's tax was questioned and finally withdrawn.

⁴⁸² Lilly Library, University of Indiana, Bloomington, Protocolo Notarial de Diego Gutiérrez, 1543-45, f. 129-131.

Cobos's network — his agents and notaries — was so widespread that he was able to monitor developments in the New World, at least as they affected his interests. That this was known to influential people in the Americas is shown by López de Gómara's comments, writing about an event in 1522 in his biography of Cortés. He writes that Cortés spared members of a faction who had killed his cousin and stirred up civil strife, 'as the saying goes, the magistrate was their father-in-law.' They were henchmen of Francisco de los Cobos 'whom Cortés did not wish to offend, lest he suffer in other and more important matters'.

According to López de Gómara, Cortés became a close friend of Cobos on returning to Spain.⁴⁸³ On another occasion, Francisco Pizarro shipped Inca Atahualpa's booty to Seville, arriving in 1534 — from the Cajamarca Inca defeat in 1533. Cobos wrote to the *conquistador*, on 27 February 1534, noting that the officials in the *Casa de Contratación* had observed a shortfall in the accounted weight of gold contained in the forty large amphoras or storage jars (*tinajas*). These had been made in the potteries of Seville and shipped to the Americas. The weight on arrival in Seville was not the same as the notarised shipment at the port of Callao (Peru).⁴⁸⁴ A notarial transcript had been made by an *escribano de camara* on the division of booty. Any false accounting would affect Cobos's share, and he made clear that he was well-informed.

⁴⁸³ Francisco López de Gómara, *Cortés, the life of the conqueror by his secretary*, Francisco López de Gómara, ed. by Lesley Byrd Simpson (Berkeley, 1964), pp. 385-386.

⁴⁸⁴ Harkness Collection, *Documents from early Peru, 1531-1578*, pp. 165-167.

If he did not already know the likely practices of speculation and fraud, the first archbishop of Mexico, Don Fray Juan de Zumárraga, who wrote to him from Mexico City in 1530, warned him about it.⁴⁸⁵ The letter, probably written to Cobos in his capacity as secretary of the Council of the Indies, contains serious complaints about abuses in the administration of *oidores* (judges) in the *audiencia* (court of appeal). The Indians were being destroyed and robbed; fewer miners were working the mines and His Majesty's *quinta* was suffering with the fall in output – that would affect Cobos's collection 'right.' His Majesty's *cédulas* were disobeyed; the cost of paying salaries to so many *oidores* and their assistants was prohibitive and their power was absolute. They refused to pay the *diezmos* (tithes), saying that they had seen no papal bulls of authorisation and they were the *patrones* (bosses). He pleads for His Majesty and the Royal Council to remedy the disastrous situation: 'the Indians were exhausted and destroyed and each day fewer in numbers.' This letter is of importance because it shows that Cobos was fully informed of the situation in the New World as early as 1530, that is, before the advent of wealth from Peru. Zumárraga emphasised the economic as well as the human damage, perhaps more likely to appeal to Cobos's cupidity. Cobos's reaction was to ensure that his network was well placed to monitor his interests, in particular as we have seen, during the conquest of Peru. As stated above, he

⁴⁸⁵ BN, Ms 1778, ff. 334v-347r. Una carta de Fr. Juan de Zumárraga, arzobispo de Mexico al secretario Francisco de los Cobos.

opposed Las Casas's wish for reform of the treatment of the Indians.

Cazorla was important to Cobos, as previously described, because the *Adelantamiento* granted him the status of a *señorío* with the associated privileges and jurisdictional independence. But the wealth this unlocked was also important. A manuscript in the *Archivo Histórico Nacional* illustrates the nature and approximate amounts of revenues that were raised in Cazorla for its *Adelantado* between 1515 and 1518, prior to Cobos.⁴⁸⁶ This was divided between that due to the archdiocese of Toledo and that paid directly to the *Adelantado* appointed by Toledo. But through the royal *merced*, when Cobos purchased Cazorla and Sabiote, he received all the revenues, including the indirect taxes of the *alcabalas* and *tercias* when transferred from Toledo to his jurisdiction.⁴⁸⁷ His only requirement was to pay an annual tribute to the archbishop of Toledo, as described in the appendix abstract on the founding of the *mayorazgo*.

It is worth describing in some detail the nature and different kinds of revenue Cobos received. Firstly, he was paid an annual income from the inhabitants in recognition of his rights over the land: the *marzazga*. This amounted to one-tenth of the harvest. He also received lease payments for the use of the land: the *terrazgo*. Then there were payments relating to sales of produce: cereals, wine and

⁴⁸⁶ AHN, Consejos Suprimidos, legs. 28254 and 28255.

⁴⁸⁷ AGA, microfilm, no. 463/298-362.

olive oil as well as silk. In addition there was a traditional obligation to report to arms against the frontier, Moorish province of Granada. After the Reconquest there was still the obligation to pay this *fonsadera* in lieu of military service and to pay certain taxes or provide labour to work on the maintenance of the castles in the *señorío* as well as on roads and bridges. Most importantly, a significant part of his revenue derived from transaction taxes, such as a tax on transit of cattle or goods, collected from drovers passing through Cazorla. Cazorla was an important destination for cattle moving south from *La Mancha* and from other parts of Andalucía to feed on its lush summer pastures. This tax was named the *portazgo* or *montazgo*.

Indirect taxes, such as the *alcabala* and the *portazgo*, grew with the expansion of trade between regions. The *portazgo* was applied to merchants' goods and cattle coming from outside the region and was collected by the traditional system of tax-farming. The *cañadas*, or royal roads, were used by the cattle and sheep of *La Mesta*, the medieval guild, on their regular transhumance. These roads still exist and are used by hikers. One of these roads originates from as far away as Cuenca ending in the upper waters of the Guadalquivir at Cazorla. But there is a network criss-crossing through the mountains of Cazorla and Segura. The archives in Toledo give figures for 1514 to 1517 of the numbers of cattle moving into Cazorla for summer grazing and the resulting taxes raised. These figures, as so often, are

the result of litigation between the local authorities and the Toledo archbishopric that needed to establish records.⁴⁸⁸ Additional rights from medieval times required payment to the *Adelantado* of a percentage of fines for administration of justice. The *señor* also had monopolies of salt-pans, mines and windmills. Occasionally, like his emperor, he could call for an extraordinary *servicio* to meet unforeseen expenses and even wedding dowries for his daughters. The emperor also could call upon extraordinary *servicios* – in 1500 Isabel had requested a *servicio* from the council of Cazorla for the marriage of the *infantas*.

Carande discovered records in the Simancas archive of two early *mercedes* granted by the queen, doña Juana (Charles's mother), to Cobos when he was *contador mayor* for Granada.⁴⁸⁹ The first, in 1513, revived the *caxbix*, a Moorish tax, which granted Cobos exclusivity in collecting transhumance taxes in kind, based on the numbers of grazing animals using pasture-land near Granada. The second, in 1514, shows correspondence from Cobos requesting the right to a tax on the packing and washing of fish at Malaga. Here he seems to be promoting a tax, which had not previously existed.⁴⁹⁰ These *mercedes* are interesting because they give an early indication of Cobos's creativity in finding new ways to raise money and to share in the results.

⁴⁸⁸ Archivo Catedral de Toledo, Obra y Fábrica, Ms 915, ff. 697r-699r.

⁴⁸⁹ Ramón Carande, 'Dos mercedes de doña Juana a Francisco de los Cobos', *Moneda y Crédito*, 128, (1974), pp. 7-16.

⁴⁹⁰ AGS, PR, leg. 59-101, 59-106.

Most importantly, Cobos received a *merced* from Charles which allowed him to collect the *alcabalas* in Cazorla and other *servicios* for his own account. The alienation of the Crown's regalian rights was discussed in the previous chapter. These rights were often usurped or collection impeded by the *Adelantado* prohibiting the towns to make payment to the kings' collectors in his *señorío*. This was the case with Cazorla when under the *Adelantado* of Toledo, prior to Cobos.⁴⁹¹

So the purchase of the *Adelantamiento* of Cazorla by Cobos gave him full *señorial* rights about whose nature we know; but the value in terms of annual income can only be guessed. It did, however, amount to a tax base from a prosperous community and gave him entry into the great nobility, which he had craved. We know from Keniston's work on the inventory in Cobos's *mayorazgo* — qualified by my comments above — that an estimate for the post of *fundidor* was 7,400,000 *maravedies*, approximately 40 per cent of his estimated annual income of 20,000,000 *maravedies*.⁴⁹² The *maravedí* was the money of account used throughout Castile. Keniston estimates the annual *alcabala* income from Cazorla at 3,000,000 *maravedies* in 1546. He does this from the cash in Verdugo de Henao's inventory and a rough estimate of revenues from the harvest of wheat and barley. The annual value of the *alcabalas* would depend on crop prices and the annual harvest, so that this would be a volatile source of

⁴⁹¹ AHN, Suprimidos, legs. 28254 and 28255.

⁴⁹² Keniston, pp. 315-318 and pp. 421-422.

income. But it seems a low figure given the evidence from the manuscripts quoted below. Thus Cazorla and the Indies' 'rights' were approximately 50 percent of his income within the *mayorazgo*. But it does not include his income outside of the *mayorazgo* — the *bienes libres* — which would have included some of his *juros* and loans to the emperor.

A microfilm of a manuscript in the archive of Andalucía shows two *juros* granted to Cobos's wife, María, amounting to 6,242,000 *maravedies* assigned to the *alcabalas* of the *Adelantamiento* of Cazorla.⁴⁹³ As this is dated 1556, it may represent a settlement over the abrogation of Cobos's specie 'rights' rather than the full value of the *alcabalas*. It is however curious that they were assigned on *alcabalas* that had supposedly been transferred to Cobos as part of the sale of Cazorla. There are further copies of manuscripts in this archive — microfilmed from the *Camarasa* archive in the Duchess of Medinaceli's *Casa Pilatos* — showing additional *juros*, approximating 11,000,000 *maravedies*, granted by Philip II to María on *alcabalas* from different villages within Cazorla.⁴⁹⁴ It appears that Philip continued to bestow privileges on María after Cobos's death, following both Cobos's request in his will (which can be read in Appendix Four) and Charles's letter to Philip asking him to take care of Cobos's family. These *juros* are also outside of the *mayorazgo*.

⁴⁹³ AGA, microfilm no. 487. 018-020, and 480.367-411.

⁴⁹⁴ Ibid, no. 489.018-022.

To establish more accurate figures would require much additional research among the notarial protocols in the towns of his *señorío*. The general archive of Andalucía in Seville has tried to collect some of these protocols of property sales and purchases by Cobos. An important one is the sale of the town and fortress of Sabiote to Cobos in 1537 'with all its rights including *alcabalas* and *tercias*.'⁴⁹⁵ This is accompanied by an order and *escritura de poder* from Charles to the *corregidor* of Sabiote to grant possession to Cobos. There is also a manuscript from the Dean of Malaga informing the council of Sabiote of the content of a bull from Pope Paul III confirming the sale of the town to Cobos, which had previously been granted by Clement VII. Pope Paul's bull of 1538 granted Cobos the *patronato*, which gave him the right to appoint clergy, do 'good works' and receive a share of the income from the benefices of the abbey of Sabiote.⁴⁹⁶ It also allowed him to establish a university and to found a monastery of friars in Úbeda. There are letters of privilege from both Charles and Philip selling villages to Cobos acquired from the Order of Calatrava and *escrituras* of the sale of houses and orchards to Cobos, such as the villages of Jimena, Canena and Recena.⁴⁹⁷ From the work of Modesto Ulloa on a statistical series showing the continuity of revenues for the nobility, we know that the above estimates of Cobos's annual income compare favourably to

⁴⁹⁵ Ibid, microfilm no. 463.093-104, 463.032-041, and 463.135-142.

⁴⁹⁶ Ibid, microfilm no. 463.171-187.

⁴⁹⁷ Ibid, microfilm no. 337.011-016.

that of many of the great noble families at that time.⁴⁹⁸ In a lifetime Cobos had accumulated wealth that had taken these families generations to establish.

The principal sources for this chapter are the documents in the ducal archives of Medinaceli, many of which are in poor condition and have been microfilmed by the authorities and placed in the archive of Andalucía. This is entitled *Archivo General de Andalucía, Sabiote y otros señoríos de la Casa de Camarasa en el Reino de Jaén*. There are 63 rolls of microfilm including 67 bundles from the original manuscripts. The Medinaceli archive is composed of a collection of bundles of documents from different noble families, their *señorial* estates all brought together through family links and marriages to the *Casa de Medinaceli*. Each family is identified by a section of the *Casa* or *Estado*. In Cobos's case it is the section on the *señorío* de Sabiote, relating to property in the towns of Sabiote, Úbeda, Jimena, Recena and Torres. This section contains 70 boxes, the principal documents of the marquises of Camarasa relating to Cobos. The last Marquis of Camarasa, Ignacio Fernández de Henestrosa y Gayoso de los Cobos, died in 1948 in Los Angeles without immediate descendants. His niece, Victoria Eugénia Fernández de Córdoba y Fernández de Henestrosa, Duquesa de Medinaceli, acquired the legacy title and in so doing added this to the abundant branches and

⁴⁹⁸ Modesto Ulloa, *Las rentas de algunos señores y señoríos castellanos bajo los primeros Austrias* (Montevideo, 1971), pp. 2-14.

leaves of that ducal house, with a thousand years of history and a veritable genealogical forest.

The last Camarasa wrote a history of his family, which is available in this archive.⁴⁹⁹ It is principally a genealogy to glorify his family and their ancient origin through their connections to the Lunas (Diego, Cobos's son, married a Luna) and Mendozas (Cobos's wife, María, was a Mendoza and later on the death of her brother, sixth countess of Rivadavia). The latter were so-called *ricos hombres* chosen by the kings to serve as early as the 800s. They served as counsellors, and teachers to princes and warriors throughout the centuries, changing sides in dynastic conflicts when advantageous to do so. The *Salazar y Castro* archive in the *Real Academia de Historia* contains details on the Mendozas and Lunas, whose families were very important to Cobos as amongst the oldest nobilities in Castile.⁵⁰⁰

The Camarasa archive holds the last testament and the *merced* granted by the Catholic Kings to Ruy Díaz de Mendoza granting him the title of count of Castrojeriz. The various family branches came from the mountains of Cantabria and a Cobos was involved in the conquest of Úbeda. Argote de Molina, the genealogist, has written that Lópe Rodríguez de los Cobos was one of the twelve founding families in Úbeda. The Marquis of Camarasa states in his book that Francisco de los Cobos, although of modest family, was of unquestionable

⁴⁹⁹ Marqués de Camarasa. *Casa de Camarasa: Apuntes para el historial de la Casa de Camarasa* (San Sebastian, 1934).

⁵⁰⁰ RAH, Salazar y Castro, Casa de Luna, tomo I, f. 265.

hidalguía (nobility), and rose by his own merits. Thus he stresses Cobos's impeccable bloodline and the family's continued service to kings. However, Cobos was an *hidalgo*, that is, not of the higher nobility. That would only be acquired by his son Diego, through the noble bloodline of his mother, María de Mendoza, with the emperor creating the title Marquis of Camarasa on his marriage. Letters of privilege of the period show a justification process for aspiring nobles which set out claims from genealogy, service to the crown, ancestors, royal *mercedes*, membership of a Military Order, marriage alliances, coats-of-arms, and family tombs and chapels. Cobos's drive for status involved all these elements up to and including his tomb in El Salvador. But in this he was very much a man of his time. A genealogy of Cobos and his family links is included as Appendix One.

The *Archivo Histórico Nacional* in Madrid has a catalogue of all Spanish noble titles.⁵⁰¹ Unfortunately, this only begins in the 1560s, so we only have a reasonably clear history of the Marquises of Camarasa from then. Similarly Matilla Tascón's notarial protocols for noble families show protocols of the Camarasas only from 1568.⁵⁰²

Cobos's son, Diego, received the title of the first Marquis of Camarasa as a wedding present through a *merced* from the emperor in 1543. Diego took the coat-of-arms

⁵⁰¹ AHN, *Catálogo Alfabético de los documentos referentes a títulos del Reino y Grandezas de España*. Sección consejos suprimidos, (Madrid), tomo I.

⁵⁰² Antonio Matilla Tascón, *Catálogo Documentos Notariales de Nobles* (Madrid, 1987).

quartered to include his father's five crowned lions — permitted by Charles V and licensed by a papal bull from Clement VII in 1523 — on the top left and bottom right. The other quarters contained the crescent moon of the Lunas, representing his wife's family. It would be interesting to consult the *mayorazgo* of the Rivadavía branch of the Mendozas. This was established in 1530 by Don Juan Hurtado de Mendoza and Doña María Sarmiento Pimental, the counts of Rivadavía in the *Adelantamiento* of Galicia. Cobos's wife inherited the title when a widow and on the death of her brother. Her marriage contract with Cobos in 1522 is included in these papers. These papers have not been consulted and they are to be found in the *Archivo del Palacio de la villa de Ribadavía* in Galicia in northwest Spain.⁵⁰³ The agreement on the dowry is also included in these papers.⁵⁰⁴ Furthermore, there is an inventory of Cobos's worldly goods at his marriage in 1522. It would be most useful to compare this with his inventory on death.⁵⁰⁵ This is work to be done, but access to the archive requires special permission.

Apart from documents on the founding of the *mayorazgo* and Cobos's testament, which has been discussed, there is

⁵⁰³ Archivo de Rivadavía, Contrato de casamiento otorgado por Don Juan de Mendoza y Doña María Sarmiento su mujer, Condes de Rivadavía de la una parte, y de la Sr. Don Francisco de los Cobos, Secretario de los Reyes, para casarse con Doña María de Mendoza Pimental. Leg. 2, num. 30 (Cobos's marriage contract).

⁵⁰⁴ Ibid., Concierto entre el Comendador Mayor Francisco de los Cobos, Don Juan de Mendoza y Doña María Sarmiento sobre la dote y otras cosas. Leg. 2, ff. 21-28 (Dowry of María).

⁵⁰⁵ Ibid., Inventario de bienes de Cobos cuando se casó con Doña María Mendoza Pimental, 1522. Leg. 2, 27 (Inventory of Cobos at time of marriage).

much in the Medinaceli archive on the administration of the estates of the different towns in the *señorío* of Cazorla and Sabiote (Jimena, Canena and Torres). There is a microfilmed copy in the AGA of a manuscript signed by Alonso de Baeza, the royal treasurer, acknowledging receipt on behalf of the emperor of 18,507,751 *maravedies* for the sale of Sabiote to Cobos, inclusive of *alcabalas* and *tercias*, dated 1537.⁵⁰⁶ It is attached to a certification that the payment and balance are correct. There are many records in the Medinaceli bundles of rent collection and taxes, and sales and purchases of property, including olive groves, orchards, and land in Úbeda – the *escrituras* of sale. From notarial deeds in the town hall at Úbeda we know that Cobos was actively acquiring land and property in and around Úbeda from 1515.⁵⁰⁷ Most of the notarial records of purchases were transferred from the towns of Cobos's *señorío* to Úbeda. There are also records of the ordering of chaplaincies for the chapel of *El Salvador* in Úbeda and the endowments of religious foundations.

Some documents indicate Cobos's concern and attention to funding and administration of the foundations he bequested. There are required regular 'visits' of inspection by María and Vázquez de Molina to the chapel of *El Salvador*.⁵⁰⁸ This follows a system Cobos seems to have copied from the Military Order of Calatrava from which he had

⁵⁰⁶ AGA, microfilm no. 463.106-133.

⁵⁰⁷ Archivo Municipal de Úbeda, Fondo de Protocolos Notariales, leg. 1515.06-30. Notario, Fernández de la Puebla.

⁵⁰⁸ AGA, microfilm no. 479.349-407.

purchased the villages of his *señorío*. They regularly sent two 'visitors' to their *encomiendas* to inspect 'all houses, lands, vines, *diezmos* and tributes due the Order from the villages of Torres, Canena, Jimena and Recena.'⁵⁰⁹ There are regulations on the appointments of the chaplains, including an investigation of their bloodline with witness testimonies on their ancestors.⁵¹⁰ There are also miscellaneous documents on the statutes, ordinances and constitution of El Salvador as established by Cobos for the good governance of the chapel. These were consulted on microfilm in the AGA.⁵¹¹ Finally, in the Camarasa archive, there is a manuscript confirming previous bulls from Pope Clement VII and granting permission to establish a university in Úbeda and to found a monastery of friars.⁵¹²

The importance of El Salvador to Cobos was discussed in a previous chapter. In his will, attached as Appendix Four, he proudly states that 'I am the patron by apostolic concession.' He provides for regular sung-masses and the stipulations for the care of El Salvador form a major part of his last testament. It is of special significance that his will requires monies for the completion of El Salvador and all its finery to come from his wealth outside of the *mayorazgo* – the so-called *bienes libres* – and if necessary the wealth within the *mayorazgo*.

⁵⁰⁹ AGA, microfilm no. 1509, 09.24.

⁵¹⁰ AGA, microfilm, nos. 269.279-394.

⁵¹¹ Ibid. nos. 482.653-701, 483.008-125, 479.011-200, 459.016-063 and 479.220-280.

⁵¹² ACDM, Sabiote, leg. 4, pieza 3, 1542.

Again, these documents all demonstrate Cobos's reach beyond the grave, with a continuance of good works after death, and attention to the effective administration of his bequest. From his first secretarial appointment in 1515 Cobos began acquiring wealth and position, but from 1541 and the funding of his *mayorazgo* he began the dispositions for his heirs and his eternal soul. The emperor had first authorised a *mayorazgo* in 1529 but, like many people, Cobos postponed the final disposition. The clauses translated and included in Appendix Three show quite clearly that the emperor's earlier permission of 26 February 1529 encompassed all the royal privileges:

to include any gift or my royal *merced* from Castile or the Indies, which shall be inherited by Diego de los Cobos.

His second approval, dated in Ghent 10 March 1540 [although the document in the Camarasa archive is dated 9 November 1541], allows goods to be added to the *mayorazgo*:

To include my *mercedes* for posts held by Francisco de los Cobos ... and to be left to persons so designated as beneficiary, ... although they be of greater value than the goods you have at the granting of my permission, you may order in *mayorazgo* in life or death ... and remain for your elder son, Diego de los Cobos.

Thus it appears that Charles's secret political 'Instruction' to his son of 1543 showed the pragmatic emperor prepared to disavow prior commitments when he needed to do so. Perhaps it also indicated an older, weaker Cobos who was of less use to his emperor and to his son, Philip, who was now surrounding himself with new men. As Karl

Brandi, quoted above, wrote: 'the political testaments are the best source of our knowledge of Charles's character and intentions.'⁵¹³ The emperor's treatment of Cobos is an example of this acute observation.

⁵¹³ Brandi, p. 486.

Conclusion

Several historians — von Ranke, Moral-Fatio and Brandi, among others — have concluded from textual analysis that Charles's autobiography, written in Innsbruck, is genuine. Fernández-Álvarez includes a copy as an appendix to his volumes on Charles's documents.⁵¹⁴ It is a translation from the supposedly original French version made in 1620 in Madrid and written in the third person in the style of Caesar's Gallic Wars. An English translation was made in 1862 from a Portuguese version, which was also said to be the only surviving copy. It deals with his travels, treaties, and military struggles with no mention of finance or the role of Cobos. If genuine, it would appear to indicate either where Charles's interests lay or may simply be a romanticised view of his life written in 1552 shortly before his retirement to the monastery of Yuste. It is probable that it was written as an adventure story along the lines of the romances Charles had read in his youth.

Charles's long contemporaneous letter to Philip II, dated 2 April 1553, shows a keen awareness of the priority of finance, as do all the earlier exchanges between him and Prince Philip, referred to in Chapter Five.⁵¹⁵ His so-called 'Political Testament' of 18 January 1548, written to a

⁵¹⁴ CDCV, IV, pp. 485-567. 'Historia Del Invencible Emperador Carlos Quinto, Rey de España, Compuesta Por SU Majestad Cesarea, Como Se Ve Por El Papel Que Va En El Siguiente Hoja.'

⁵¹⁵ Ibid., III, pp. 577-592.

mature Philip also instructs his son on the 'principal piedra deste edificio' (the foundation of this building) — and 'the need to find men for posts, not posts for men.'⁵¹⁶ He was continually concerned about the qualities of the counsellors and he urged Philip to trust in the merits of Cobos and especially to rely on him in business matters. His 'Secret Instruction' from Palamós of 1543 to Prince Philip with the extensive assessment of Cobos's worth is the principal source in estimating the emperor's opinion of the qualities and defects of his counsellors and the relative importance of a variety of policy issues.

An assessment of Cobos must be imperfect due to the lack of manuscripts written in his hand. It is difficult to generalise from particular documents, which can only provide a partial assessment. But although thus qualifying these conclusions, we do get a qualitative idea of Cobos's central role by examining his actions: his rise to power through manipulating the institutions he knew so well and an understanding of how he handled his competitors for power and influence, while invariably identifying his interests and actions with those of the emperor. Surviving letters to Cobos reveal the world in which he moved. They demonstrate his role in managing a network of power partly through placing his own people and partly by manipulating his access to the gifts of honour and privilege.

⁵¹⁶ BN, Ms 4013, Augsburg 1548.

But the evidence also supports the conclusion that, contrary to Keniston's traditional interpretation followed by most historians, Cobos was not only concerned with his privileges and network of patronage. This thesis has shown that he was also involved in policy and debates, among other things, about jurisdictional differences within the empire. The importance of customary local justice and traditional *fueros* had been emphasised by the revolt of the *comuneros* at the beginning of Charles's reign. Afterwards, Charles and Cobos were always aware of the need to accept these differences both within Spain and throughout the empire in order to ensure the legitimacy of imperial rule. Control of the provinces was made easier by accepting these differences while imposing viceroys outside of Castile and *corregidores* within Castile to maintain loyalty to Charles and similar principles of government. Regional particularism and privileges were supported and further developed by Cobos in his dealings with the *Cortes* of Castile. Paradoxically, such devolution gave Cobos more power of patronage through his arrangement with the *Cortes* for the collection of the *servicio*. Decentralisation of economic power often can control the prevalence of rent-seeking by limiting the economic role of the state. However, as described in Chapters Four and Five, Cobos was able to co-opt the towns by enabling them to participate in rent-seeking.

The need for the political support of the towns, after the revolt of the *comuneros*, determined Cobos's policies of inclusiveness — co-opting them through the *encabezamiento*.

The bankers preferred the credit of the towns, and thus this political backing was translated into financial support by the assignment of the *servicios* to the bankers' *asientos*. It has been shown how this was done through the *Cortes'* rights of petition, by analysing the flow of petitions from the meetings in the *Cortes* and the resulting increase in *servicios*. Cobos reconciled the chronic financial needs of Charles with the ambitions of the urban *hidalgos* to share in wealth and prestige by opening the floodgates to privilege and gift-giving.

While the thesis concludes that Cobos was nothing less than the principal architect of Castile's government, he had a role beyond secretarial work at court. He was not just a master of the administrative machinery of Castile. The study of letters from Diego Hurtado de Mendoza, from Venice and Rome, and Lope Hurtado de Mendoza from Lisbon, as well as Juan de Valdés from Naples and Francisco de Borja from Barcelona results in a much wider portrayal of Cobos than hitherto. These letters show an involvement in imperial policy and an interest in the cultural and literary views of these men, all of whom were classical scholars and bibliophiles.

This thesis began with several statements of purpose. The institutions with which Cobos's associated himself in the process of his ascent were examined, in order to discern his ambitions, motivation and methods of achieving his aims, in the hope also of revealing his *persona*. Power and control lay in manipulating the institutions and networks of

patronage. He was particularly skilled at this, but his genius also lay in the manner in which he extended this patronage to the towns and allied them to his emperor after the revolt of the *comuneros*. The available sources demonstrate his ambitions and skills of manipulation to achieve and maintain his post as the most powerful of Charles's secretaries. Although much prior research has been done on the essentially medieval institutions – the Military Orders, the *señoríos*, and the entailment of *mayorazgos* – they provide essential context in understanding their social and political importance to Cobos's rise. Thus they have been extensively covered by this thesis.

The significance to Cobos of the *Adelantamiento* of Cazorla has been shown through the conflict with Silíceo – the archbishop of Toledo – perhaps the most determined challenge to Cobos's authority and influence with the emperor. The examination of manuscripts in the cathedral archive of Toledo has provided evidence of Cazorla's importance. This may well have been the central objective of Cobos's life: the founding and endowment of a family dynasty that would give him high social position among his peers, independent of the emperor's favours. But Cazorla was also part of Charles's battle to disentitle Church property, and Silíceo fully understood the danger to the Church of losing such an emblematic property. Cobos, Tavera and the emperor had pursued a policy of large-scale ecclesiastical disentitlement to finance imperial projects. As part of this process Cobos had received the emperor's royal *cédula* and a

papal bull recognising his perpetual family-right to Cazorla. But the persistent Silíceo was able to resurrect the Church's ancient privilege and the battle was fought when Cobos's health was in decline. By referring to His Holiness's approval and confirmation, Cobos's last will and testament of 8 May 1547 – an abstract is attached as an appendix – clearly highlights his determination, or perhaps anxiety, to maintain the perpetual nature of the Cazorla inheritance.

But the most significant contribution of this research is to place Cobos in a new light, which gives him much greater importance than has so far been appreciated. He was at the very centre of credit and finance, the essential tools for Charles's dynastic objectives. The quantity and depth of archival material relating to Cobos and finance provides sufficient evidence to conclude that Cobos was nothing less than the key to supplying the means for Charles to pursue his ambitious policies of dynastic expansion and conflict. Cobos broadened the fiscal base and maintained bankers' trust. Charles, as his various 'Instructions' have shown, was fully aware of Cobos's skill. Money and finance were at the centre of the emperor's belief in Cobos and therefore the means by which Cobos transformed trust and confidence into political power. No one was more powerful than Cobos in this vital area.

From the outset, the emperor realised that his royal 'domain' revenues were insufficient to support his ambitions. Cobos thus skillfully increased and diversified

Castile's 'extraordinary' revenues. He did this principally through a pact with the *Cortes* to augment the *servicios*, which initially gave the emperor the essential stability of financial flows to fund his enterprises. As has been shown, this was achieved by allowing the *Cortes* to raise the *alcabala* tax through its own composition or *encabezamiento*, replacing the traditional method of levying the *alcabala*. Thus Charles summoned fifteen *Cortes* during his reign and was usually granted an increase on the previous *servicio*. The *Cortes* had no incentive to question Charles and Cobos's fiscal policy of unlimited expenditure. The elites of the *Cortes* were in effect the 'special interests' of their time. They were closely connected to Spanish banking and mercantile interests whose loans the *servicios* had to pay. The circle of vested interests was complete.

By the late 1530s virtually all of the *servicios* were assigned to pay outstanding bankers' *asientos* (contracts). As the burden of debt intensified, Cobos resorted to borrowing against future years' *servicios* (this is present-day practice for most U.S. municipal bond issues, through the issuance of tax-anticipatory bonds). Manuscripts in Simancas provide evidence to show that Cobos was actively involved in re-writing the conditions of the *asientos*, as, increasingly, their terms could not be met. This was an effective default and indicated to the lenders a serious credit or solvency problem. Bankers therefore shortened the maturities on new loans, invariably a sign of worsening credit. Charles's declaration, 'that which is agreed with

the bankers be strictly fulfilled ... in order that my credit does not suffer,' was intended to create faith in the royal word, but did not stop a tightening in bankers' terms. Nevertheless, Cobos convinced the bankers to continue to lend and in this he was helped by the emergence of a new source of wealth — silver from the New World. Creditors therefore still believed that they would be repaid, this time from anticipating the arrival of the silver fleets. Silver represented a new currency entering the financial system, equivalent to a central bank's printing-press.

Thus the emerging regularity of silver fleet confiscations from the mid-1530s was disastrous for the emperor's credit. Cobos and Philip warned Charles, as has been shown, but imperial policies were irreversible in the context of Charles's aims.⁵¹⁷ Events, as always, would impinge on any attempts to restrain expansive policies. As Charles wrote in a letter to Prince Philip: 'there were ineluctable needs and obligations and a crowding in of events.'⁵¹⁸ Cobos postponed the day of reckoning by his constant shuffling of the cards of debt, and by enforced loans (*socorros* to His Majesty) from merchants and the nobility. He also increased the alienation of royal patrimony and revenues — particularly the *alcabala*. But perhaps this was a necessary consequence of the emperor's voracious ambitions, rather than a despoiling of the 'family silver' by Cobos. He died in 1547, some ten years before state bankruptcy. But it is

⁵¹⁷ Carande, III, pp. 212-214.

⁵¹⁸ CDCV, II, pp. 336-343.

highly unlikely that he could have avoided this or modified the emperor's dynastic policies and world-view on the need to defend the unity of Christendom, notwithstanding the heavy cost for Castilian credit. In this sense Cobos's role was to fix the problem and not to question imperial policy.

We can therefore also judge the importance of Cobos's actions in the context of Charles's struggles. His period encompassed enormous challenges, among which were: the threat of the Ottoman Turk; the continuous struggle with France's Valois kings; papal conflict; the piracy of Barbarossa; the constant threat of insurrection from Spain's Muslim population; and, not least, the Lutheran heresy. Cobos's tragedy was that his actions were ultimately futile in the context of this enormous imperial agenda. His personal agenda was also to be disappointed: Silíceo thwarted his desire for a perpetual entailed estate for his descendants, his wife María lost the one-per-cent 'derecho de Cobos', and his 'good works' depleted his *mayorazgo*. Finally, the title Camarasa, which he had obtained for his son, disappeared and was absorbed into the older noble family of Medinaceli. His policies and dealings with the Cortes and the bankers kept Charles and the empire in funds, but after his death insolvency quickly followed.

Thus he left no permanent legacy, neither personal nor in his role as supreme secretary to Charles V. As Charles wrote in his 'Instruction' to Philip of May 1543: 'Do not blame Cobos for extravagance, the fault was not his but that of the political situation; if only Cobos had the chance he

would admirably execute reforms.'⁵¹⁹ This perhaps explains the long neglect in recognising his centrality – which this thesis demonstrates – to his emperor's ambitions. He did not reform institutions, but used them to fulfill his emperor's and his own ambitions. He used the continuity of institutions and their embedded rewards as his power base. There is thus no strategic change or body of reforms that historians can point to as being of Cobos's creation. Change is easier for historians to try to identify or evaluate the consequences – especially the promotion of a policy of reform that can focus attention on an historical character. But reforms had been suggested by Gatinarra and rejected by Charles. Cobos's strength lay in the more subtle use and adaptation of existing structures. As a result of this research we can now more clearly see him as a supreme exponent of the art of managing the system and pleasing his emperor, which made him Charles's most powerful and longest-serving secretary.

It is unclear whether Cobos ended up disappointed in his achievements, like his emperor. Did he know of Charles's intentions to revoke the Cobos '*derecho*' as assayer of New World specie if the pope confirmed Cazorla as a perpetual grant to his son and heir? Charles had specifically approved the inclusion of all his *mercedes* in Cobos's *mayorazgo*, so Cobos may have felt that his wealth was safe. But Cobos's actions throughout his life make it likely that he would

⁵¹⁹ CDCV, II, pp. 110-111.

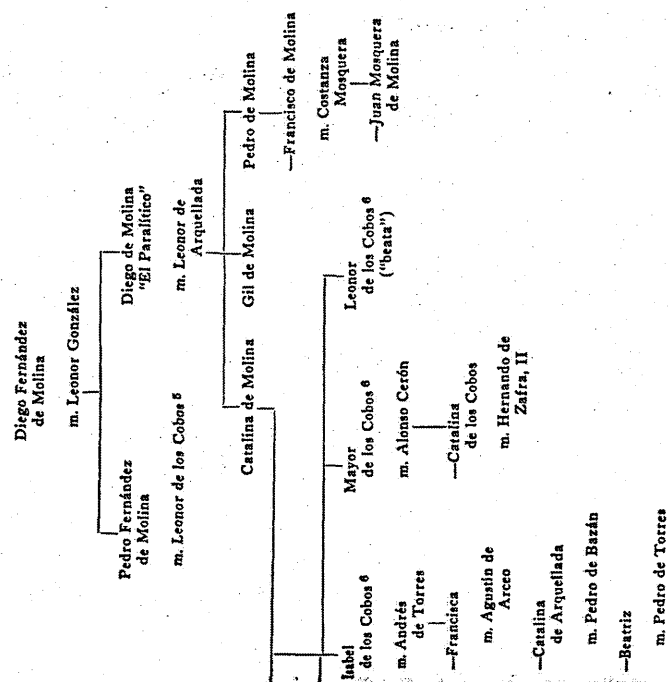
have taken precautions, as he did in his last will and testament. He had seen how Charles treated other secretaries and how his promises to fulfill credit obligations had been broken.

On the interpretation of this thesis, the provisions in Cobos's last will and testament of May 1547 give us the best insight into his intentions on preserving his memory and imposing obligations on his wife and children. The chapel of El Salvador in Úbeda was to be his memorial and, according to his testament, had to be completed and suitably maintained. Although he lost his most valuable perpetual gifts from his emperor, he was at least successful in guaranteeing one lasting memory: the chapel at Úbeda. This important manuscript source, i.e. his last will and testament, probably because of its poor condition and unusually difficult palaeography, has until now been neglected.

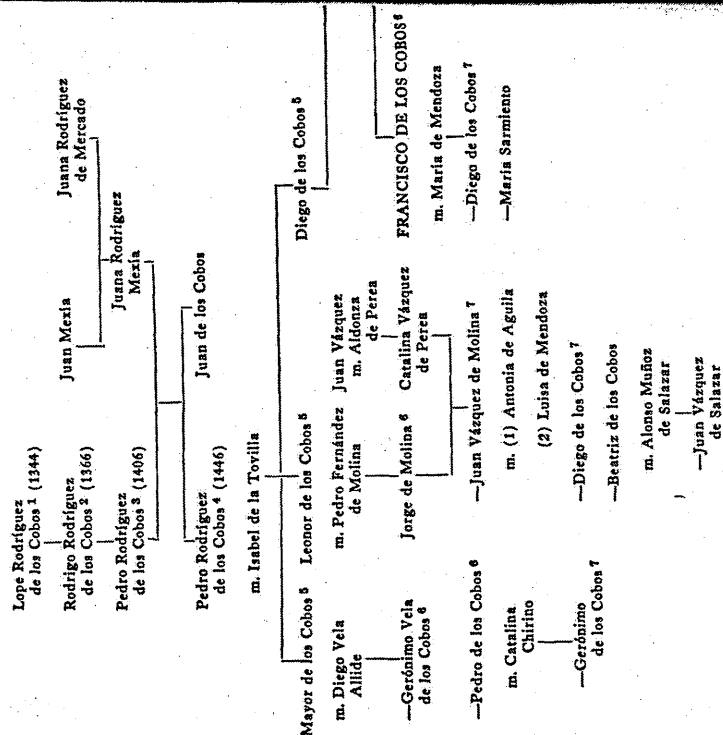
Appendix One

The Cobos Family Tree

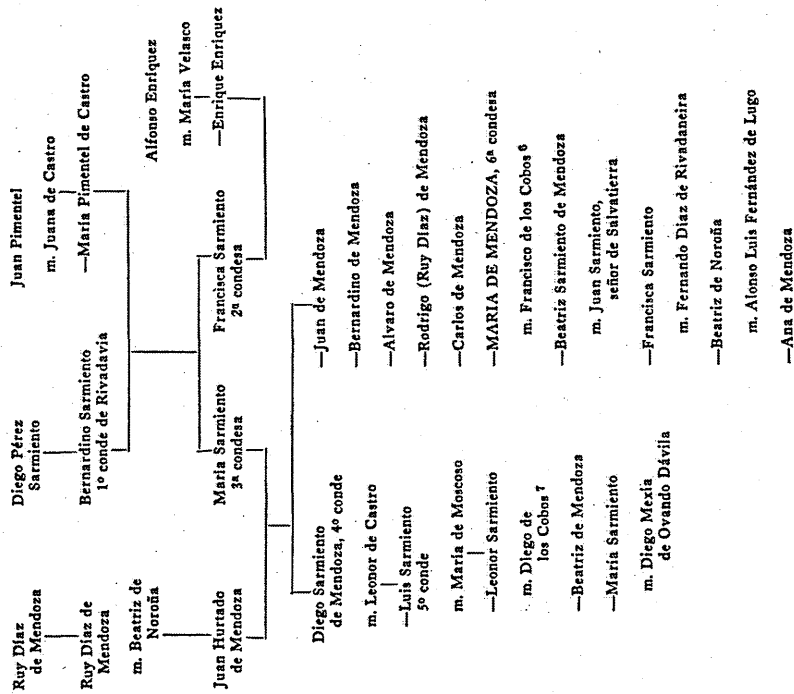
THE MOLINA FAMILY TREE



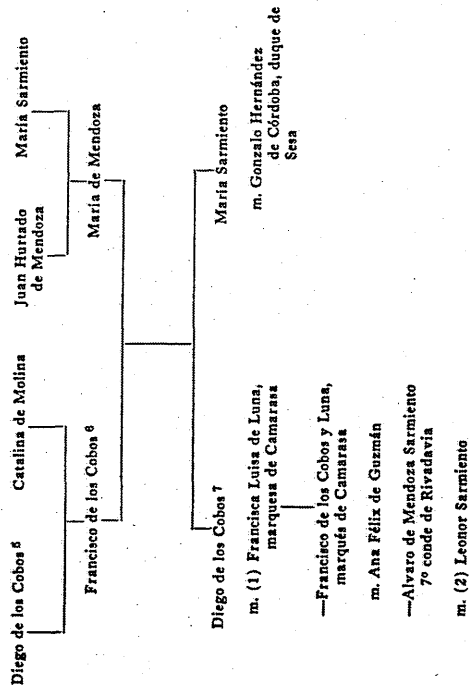
THE LOS COBOS FAMILY TREE



THE MENDOZA-SARMIENTO FAMILY TREE



THE FAMILY OF
LOS COBOS-MOLINA — MENDOZA-SARMIENTO



Appendix Two

Laws Relating to the *Encabezamiento*.

Folio LVIII, Libro VI, titulo III.

Ley I

Como quiera que sea visto por experiencia subir las rentas, se dan por encabezamiento al reyno por diez años en cierto precio. Por que nuestra intención a sido de quitar vexaciones de arrendatarios quisimos que se recibiesen encabezamientos de qualquier ciudades ... que quisieren encabezarse. Por hazen bien y merced a estos reynos, avemos por bien de las dar encabezamiento todas las rentas de alcavalas y tercias del, por diez años venideros desde 1535, en el precio que nos llebamos y gozamos de ellas este año de 1534, descontados todos los prometidos y quartas partes que en ellos se ganan ...

El reyno y sus procuradores den orden como todas las rentas se encabezen, cada una en el precio que se deba encabezar, en el qual encabezamiento no a de entrar en almojarifazgo ni servicio, y montazgo ni puestos de los tres Obispados, ni almadrabas, ni mineros, ni la renta de seda del reyno de Granada, que no se suelen encabezar a pueblos.

Avemos por bien que los pueblos que particularmente se vinieron a encabezar, se les de por encabezamiento sus rentas en precios moderados, de manera que reciban gratificación como ahora ven, que se haze con los que se an

encabezado. Y desde ahora mandamos a nuestros Contadores Mayores que así lo han.

Pragmática de SM lxxxvi. Madrid 1534.

Ley II

Que el dicho encabezamiento dura por otros diez años mas, desde 1547 hasta 1556. Y dello dimos nuestra cédula para los nuestros Contadores Mayores ... las Cortes a su cargo por encabezamiento las rentas del reyno por diez años en cierto precio y con ciertas condiciones ... y a estas Cortes nos otorgaron de servicios extraordinarios, ciento y cincuenta cuentos de maravedies para las grandes y importantes necesidades ... como hacer bien y merced a los reynos les concedimos y otorgamos de les prorrogar y alargar el dicho encabezamiento por los diez años y obligándose por los maravedies que montase

Pragmática de S.M. Valladolid, 1547.

Translation

Law I

As we wish from experience to raise revenues, it is granted to the kingdom for ten years to raise revenues by *encabezamiento* at a certain price. Because our intention has been to remove the vexations of tax-farming we wish that *encabezamientos* be received from whichever city that wishes to pay by *encabezamiento*. To do right and grant a *merced* to these kingdoms, we have granted an *encabezamiento* of all the

revenues of *alcabalas* and *tercias* for the ten years from 1535, at the price established in 1534, deducting all promises and commitments from the amount ...

The kingdom and its procurators will determine how taxes will be distributed and the amounts of *encabezamiento*. To be excluded from the *encabezamiento* will be the *almojarifazgo*, the *montazgo*, and posts of the three Bishops, and *almadrabas* and mining rights, as well as taxes from silk from the kingdom of Granada, that by custom do not levy *encabezamiento* from their peoples.'

We wish to ensure that the peoples who are taxed by *encabezamiento* do so at reasonable prices, so that they are contented. And from now we send to our *Contadores Mayores* as follows:

Pragmática de Su Majestad lxxxvi. Madrid 1534.

Law II

The said *encabezamiento* will last for ten years more from 1547 to 1556. And for this we issue our *cédula* for our *Contadores Mayores* ... the *Cortes* are responsible for the *encabezamiento* of the taxes of the realms for ten years at a fixed price and set conditions ... and from these *Cortes* we are granted an extraordinary *servicio* of one hundred and fifty *cuentos* of *maravadies* (one hundred and fifty millions) for our large and important needs ... to do well and grant a *merced* to the realms we concede and grant to them an

extension of the said *encabezamiento* for ten years and a commitment to raise the *maravadies*.

Pragmática de Su Majestad Valladolid, 1547.

Appendix Three

Translation of Founding of *Mayorazgo*

(Abstract from original manuscript in palaeography of the period, taken from the *Archivo Ducal de Medinaceli*, Seville, cajon 3, leg. num. 1).

Extract from original as above, dated Sabiote 17 March 1587. Regarding the founding of the *mayorazgo* of Francisco de los Cobos and María de Mendoza and confirmation of the emperor's permission.

This extract was ordered by a witness to the will of Leonor de Castro, Countess of Rivadavía. There follows a clause dealing with manner of possession of goods in the *mayorazgo* and payment of debts of husband and wife.

Usual invocation of Holy Trinity and Virgin Mary. Then: 'as all men naturally wish to perpetuate and preserve their legacy ... Charles I grants a license to Francisco de los Cobos and his wife María de Mendoza in favour of their eldest son Diego de los Cobos to establish a *mayorazgo* of their possessions.'

'Firstly, as you and your wife wish to be remembered and your descendants to be honoured and to better serve the Crown ... we license and give you permission either during your lives or at death by testament or codicil or any other disposition in life or as a last wish to establish a *mayorazgo* of all the towns and places and fortresses and vassals and your houses and *juros*, for life or perpetually,

rents, mineral and salt rights, and whatever other goods you have now or in the future. To include any gift or my royal *merced* from Castile or the Indies which shall be inherited by Diego de los Cobos, knight of the Order of Santiago and your eldest son and primogenitor and your legitimate or natural descendants ... or in defect others whom you wish and provide for.

These goods will be inalienable, non-prescriptive and indivisible and for no cause can they be given away, reduced or abridged or be removed from the *mayorazgo* for dowry, nor for ransom of captives nor for any other reason.

We also give licence for you to dispose of other goods that remain to you outside of said *mayorazgo* (*bienes libres*), with permission to give to your daughter María 4 million *maravedies* or more and to any children from the marriage 2 million *maravedies* each.

And you can impose whatever limiting clauses you wish affecting your children in the *mayorazgo*.

And we command that everything ordered above will be complied with under this licence of royal approval. Even if your children and grandchildren might feel injured the terms cannot be revoked or derogated.

Given in Toledo 26 February 1529. Yo el Rey.

Don Carlos, followed by the *intitulación* (titles). Having granted a *mayorazgo* to Francisco de los Cobos and Doña María his wife. I give permission to substitute or add

goods to or change said *mayorazgo* of 26 February 1529 up to date of death.

And those goods added after death, tributes, *juros* and other revenues can be placed in the *mayorazgo*. To include my *mercedes* for posts held by Francisco de los Cobos. Whoever of you remain alive after the death of the other can place in the *mayorazgo* the goods and privileges so acquired and leave to the person you both designated as beneficiary. Additionally, as you wished and supplicated to impose conditions and substitutions and impediments on the goods you leave for your beneficiaries, this you may do.

And as you wish from the above mentioned reference you may give as a dowry 4 million *maravedies* to your daughter María Sarmiento and 2 million to each child of the marriage. All other goods to go into the *mayorazgo* for Diego de los Cobos. Neither said Doña María Sarmiento nor any other of your descendants to have any rights or recourse against your goods in *mayorazgo*. And because of this, and with Our licence and knowledge you have agreed to marry the said Doña María, your daughter, to Don Gonzalo Hernández de Córdova, Duke of Sesa and you and your wife have decided on a dowry of the said 4 million *maravedies*. In agreement with the powers I have given you, you may give an additional 10 million *maravedies*.

And we wish and order for all time that said Doña María Sarmiento, and her descendants, cannot claim against your *mayorazgo* more than the 10 million *maravedies* that you have promised in the dowry.

I will grant by *merced* a *juro* of 125,000 *maravedies* for life to help with her marriage. I continue to have great respect for the considerable and significant loyal service of the *comendador mayor* Don Francisco de los Cobos and wish that in your person and lineage and house there be a perpetual memory. For this end and effect all your towns, vassals, and fortresses with their jurisdictions and revenues and taxes and rights therefrom that you presently have and will have in the future and whatever goods and rights, *juros* and revenues of any kind and amount although they be of greater value than the goods you have at the granting of my permission you may order in *mayorazgo* in life or death. And that all are always together, united and inseparable so that after your days they remain together within the said *mayorazgo* for your elder son Don Diego de los Cobos.

Given in Ghent 10 March 1540. Yo el Rey

Appendix Four

Last Will and Testament

Translation of an Abstract from a
Transcription of the Testament of Francisco de los
Cobos.

(From *Archivo Ducal de Medinaceli*, Seville, Section
Sabiote, leg. 1, pieza 17).

In Úbeda, 8 May 1547 in presence of the lieutenant
corregidor, a royal *escribano* and witnesses. Also present
Diego de los Cobos, Marqués de Camarasa *Adelantado de*
Cazorla and inheritor of Francisco de los Cobos, *Comendador*
Mayor de León and secretary to His Majesties. And Duque de
Sesa with wife, Cobos's daughter, María Sarmiento.

Form of authority for *escribano* to read the testament
and naming of witnesses. Hernando Verdugo de Henao, royal
escribano presented closed and sealed testament, sealed with
Cobos's coat-of-arms. Showed to all present to verify and
recognise signatures. Swearing that Cobos was dead and his
body had been seen by Diego Caballos, doctor to His Majesty.
Lieutenant *corregidor* took oath from Verdugo de Henao that
contents of testament was that written by Cobos in presence
of Verdugo de Henao. That Cobos was of sound mind and that
testament had been closed, sealed and signed by seven
witnesses. Each witness to duly swear their signatures and
that of Cobos were those on the testament. They swore they

had seen Cobos sign and each of the witnesses likewise swore they had seen the document closed and sealed.

Then the lieutenant *corregidor* opened the testament in presence of the royal *escribano*, Verdugo de Henao, and the witnesses and read the document:

Testament 4 May 1547

In Úbeda, 4 May 1547, before the royal *escribano* (Verdugo de Henao) and royal notary public and witnesses, Francisco de los Cobos, *Comendador Mayor de León* and counsellor to His Majesty and *Contador Mayor de Castilla*, being sick in bed and in good mind presented an *escritura*, signed, closed and sealed, which was stated to be his testament. Revoking all other testaments.

Usual religious invocation of the Trinity and the Virgin Mary for first paragraph. Followed by Cobos's full titles. Don Francisco de los Cobos, *Comendador Mayor de León del Consejo de Estado de sus majestades y su contador mayor de Castilla, señor de las villas de Sabiote, Torres y Canena*. This is my testament and last wish as follows:

Commend my soul etc and make my confession and pray for forgiveness for my sins.

First states a wish to be lain in El Salvador before the main altar when building completed. 'I am the patron by apostolic concession.' As a temporary resting place can be lain in chapel of Santo Tomás also in Úbeda and later transferred to El Salvador. Then, there is great detail

about friars and clerics to give masses and offerings in El Salvador on day of burial. A sung-requiem should be given by the chaplains of El Salvador attended by priests' servers and friars from the monasteries of S. Domingo and S. Francisco. Mass to be given for his soul and that of others. Offer a thousand masses for his soul and priests to give twelve masses for the twelve apostles, and another twelve for St. James (of Santiago Compostela) at his altar in the church of Compostela, another twelve for the angels and archangels, and for St. Michael and the martyrs and twenty for the Sacred birth of the Virgin, and twenty for the ascension of Our Saviour and for all masses to give offerings as judged by my executors.

He leaves provision for twelve chaplains for El Salvador and to sanctify the chapel he provides for statutes for its care and conservation. He requires María and his son, Diego, to act as patrons as set out in the articles of the statutes for El Salvador. But especially María to take care of the work on the chapel in the form provided for. Diego as a dutiful son to ensure provision of money for perpetual conservation of the chapel as provided for in its statutes. He has ordered all this 'in service of God and for the public good and help of poor people.' As an expression of the virtues of his son and himself.

Then testament discusses El Salvador and arrangements for completion. If funds should be insufficient to complete from the incomes granted me by His Holiness, 'I wish and order that payment be made from my worldly goods' [i.e.

bienes libres outside the *mayorazgo*]; if still insufficient then payment from his *mayorazgo* to finish the work to complete perfection. Gives details regarding doorway, *retablos*, ironwork, arches of the sacristy, choir stalls, bells, and pillars and towers, missives, organs, books of plain song, and everything necessary to make the chapel perfect to perform divine services. This is all set out in the chapel's statutes. Great care should be taken to fulfill his wishes and to complete the chapel with the greatest perfection. He requests and orders his wife, María de Mendoza, children and servants not to wear mourning for him. He asks to send to named monasteries and churches 10 ducats so that the friars can pray for his soul.

He asks for his Military Order robes to be returned to the Order. To pay all his lessor debts (amount defined) against a sworn statement. If greater, the amount to be verified by his executors. Also asks María to ensure El Salvador is well provided with tapestries, silver and reliquaries. The incomes and benefits His Holiness has provided as part of the benefice of El Salvador should go to the servants of the chapel.

To take care of the funds María and he provided by *escritura* before Hernando Verdugo de Henao on 8 December 1546.

His sisters, Leonor and Isabel, to be housed in Úbeda and Diego and María to take care of them.

'Our Holiness Pope Paul III, presently head of the Church, granted the emperor as patron of the Church of

Toledo approval and confirmation of the *adelantamiento* of Cazorla which had originally been agreed by Cardenal Juan Tavera.

Don Diego de los Cobos, my son, and all my descendants and his, male and female, to for ever have the dignity and position of the said *adelantamiento* to be succeeded in perpetuity according to the order and form of the *mayorazgo* made by my wife and myself. These descendants to pay every year on San Ildefonso day to the archbishop of Toledo 300 ducats and to swear fidelity and allegiance to the archbishop and to give a fine horse of at least 100 ducats in value. By the *escrituras* and apostolic bulls given by His Holiness and in the *escrituras* of His Majesty, Diego de los Cobos, Marqués de Camarasa and Adelantado de Cazorla, my son, and his descendants will succeed the *mayorazgo* as stated and the said *adelantamiento*, and will reverently and faithfully respect the archbishopric of Toledo, and be obedient and devoted to His Apostolic Holiness and the Roman Church and His Majesty and his successors.' ...

'And I have *cédulas* from His Majesty in which he requires me to renounce the office I hold as '*fundidor, marcador, y ensayador* of all the Americas and the titles of *corregidor* of Valladolid, and of chief justice of Úbeda, and *contador* of Granada. I therefore renounce these positions and pass all to my son Diego de los Cobos to enjoy from the day of my death ... And to take care of María de Mendoza.'

María for her life to have the usufruct of the '*derechos*' of the offices of the Indies, [the 1 per cent

levy on precious metals] and to benefit from these revenues and also from the growth in our *mayorazgo*.

As to the matrimonial contract (*capítulos matrimoniales de casamiento*) of my son with Doña Francisco Luisa de Luna, 3 February 1543, it was agreed that María, my wife, and I would give to our son, the *marqués* and *adelantado*, 15,000 ducats of gold from our *mayorazgo*, dated 9 November 1541, as agreed in the wedding contract. I order that on my death this payment be made.

Alonso de Idiáquez, secretary of His Majesty owes me money from revenues collected on my behalf from the office of secretary of Naples. I order that no demand is made for these revenues.

And as agreed in the wedding contract of my son and from our *mayorazgo*, the *marqués* and *marquesa* can sell all goods, furniture, jewels, gold and silver plate and tapestries to provide for the payment of bequests. Goods are valued at 4,000 ducats. María and I made the *mayorazgo* of our goods and an *escritura* of them before Fernando Guerrero secretary of the Council of the Orders. This was approved and confirmed by their Majesties. The letter of privilege for the *mayorazgo* is included in the *escritura* of the *mayorazgo* and in the marriage agreement of our son and Doña Francisco Luisa de Luna, *marquesa*.

De Camarasa and his wife have ratified and approved the *escritura* of the *mayorazgo* and we require all the content of the *mayorazgo* and its clauses should be maintained perpetually. I ask my wife to have a special care that all I

request be followed, especially regarding El Salvador and its chapel and that the conditions are fulfilled for its perpetual endowment. And that my son always serves and reveres María de Mendoza, my wife and his mother.

I also ask the illustrious *señores* Duque de Alba and Monsieur de Granvela and the Marqués de Mondéjar for whom I have always had great love and friendship to show favour and care for my wife and children. I humbly beseech His Majesty the emperor, for the great favours he has always shown me, to show favour to my wife and children. I also ask the prince to do likewise.

I leave for my heirs, Diego de los Cobos, marqués and *adelantado*, and his descendants, and in defect of them, of our daughter, Doña María Sarmiento, Duquesa de Sesa y Condesa de Cabra, and her descendants, the goods and revenues contained in the *escritura* of *mayorazgo* made by my wife and myself. My daughter to whom we granted a dowry (he names the amounts, the expenses, and including gifts of a *juro* from His Majesty) and continued help with household expenses up to the present. As well as gifts of gold and jewels and horses, and expensive clothes. The legal requirements of the realm have been satisfied, and they will not share further, other than stipulated in the *mayorazgo*. It was further agreed by terms of the marriage contract that if María died without issue part of the dowry would revert to the *mayorazgo*. But because of his love it is his wish to grant her another 15,000 ducats which will add to the already large sums granted (he gives a detailed accounting)

including the acreage for cereals given to the Duque de Sesa, her husband, which he values from the prices of wheat and barley dated from the wedding settlement until the present time. The 15,000 ducats will be a *juro* assigned to the *adelantamiento* of *Cazorla*. There will be no right of dispute on this settlement against the *mayorazgo*. He lists other gifts. The *duquesa* will only have the rights from the *mayorazgo* as specified in the clauses of the wedding dowry. She should be content and not challenge the distribution of the goods in the *mayorazgo*.

My wife and I established the *mayorazgo* for the *marqués* and *adelantado* our son who should care for his mother and follow everything that concerns her. And to fulfill and complete my testament I name as executors my wife, María de Mendoza, Duque de Alba and Marqués de Mudéjar and as they will be unfamiliar with the detail I also name Álvaro de Mendoza, chaplain of the chapel of the *Reyes* in Toledo and Juan Vázquez de Molina my nephew and Alonso de Idiáquez and Juan de Samano secretaries to His Majesty and Hernando Ortega, Dean of Malaga, and Francisco de Almaguen, *contador* of His Majesty. To these I give all my completed powers so they can execute the content of my testament according to my wishes. And as all will not be able to act together, my wife María, with others she names from the executors, will act on the testament.

I certify this is my only valid testament that I now make and order, superceeding all others and written on eleven sheets.

Cobos Comendador Mayor.

Bibliography

Key to Abbreviations

Archives and Libraries:

ACDM Archivo de la Casa Ducal de Medinaceli, Seville

ACT Archivo Catedral de Toledo

AGA Archivo General de Andalucía, Seville

AGI Archivo General de las Indias, Seville

AGS Archivo General de Simancas, Valladolid

CG Contaduría General

CJH Consejo y Juntas de Hacienda, Secretarías de Hacienda

CMH Contaduría Mayor de Hacienda [pre-dated Consejo de Hacienda of 1523]

DC Diversos Castilla

E Secretaría de Estado

EMR Escribanía Mayor de Rentas

GA Guerra Antigua

MP Mercedes y Privilegios

PR Patronato Real

QC Quitaciones de Corte

AHN Archivo Histórico Nacional, Madrid

AMU Archivo Municipal de Úbeda

BN Biblioteca Nacional, Madrid

JCBL John Carter Brown Library, Providence, R. I.

RAH, S y C Real Academia de la Historia, Salazar y Castro, Madrid

Zabálburu Archivo Privado de la Biblioteca de Francisco
Zabálburu, Madrid

Other Abbreviations:

BAE Biblioteca de Autores Españoles
CECA Los Códigos Españoles Concordados y Anotados, 12
vols
Codoin Colección de Documentos Inéditos para la
Historia de España, 112 vols (Madrid, 1842-
1915)
leg. *legajo* (in Spanish archives, a bundle of papers
loosely tied together with a ribbon)

Archivo General de Simancas

The great national archive of Simancas is the first port of call for anyone studying this period. Some sections have printed catalogues but in general one has to rely on older manuscript inventories that give little idea of the contents of individual *legajos*. This is largely the case for the papers of the secretaries of state, the *Secretaría de Estado* (E). The *legajo* numbers consulted for this section are listed below.

The papers of the Council of Finance (*Consejo y Juntas de Hacienda*) have been analysed and grouped in an inventory of *legajos* organised by a previous archivist at Simancas — Margarita Cuartas Rivero. This was of invaluable help for the chapters on finance. Her work relates to the *Consejo y Juntas de Hacienda* from 1523 and its precursor the *Contaduría Mayor de Hacienda* for an earlier period. The

inventory of *legajos* from both *Secretarías*, includes a vast body of material: *alcabalas* and *tercias* from *encabezamientos*; *asientos*; *bulas de cruzadas*; *servicios* voted in *Cortes*; sales of official posts and of jurisdictions of *señoríos*. The CJH is divided into *Expedientes de Hacienda*, *Escribanía de Rentas*, *Contaduría General* and *Contaduría Mayor de Cuentas*. All of these were of particular value and relevance to this thesis.

The following were also inspected: the *Mercedes* and *Privilegios* section (listing royal favours by name and date); the *Patronato Real* (royal revenues and estates); and the *Quitaciones de Corte* (listing by name and date royal appointments). The principal Simancas manuscripts consulted are included in the bibliography below.

Archivo de la Casa Ducal de Medinaceli

The Sabiote section of the *Casa Ducal de Medinaceli* archive in Seville has been most valuable, particularly for Chapter Six, containing as it does Cobos's *mayorazgo* and his last will and testament, among other helpful papers.

Archivo Catedral de Toledo

This archive was especially helpful in following the feud between Cobos and Cardinal Silíceo, the subject of much of Chapter Three.

Archivo de los Condes de Rivadía, Galicia

This archive was referred to in Chapter Six, but was not visited, as it required special permission. The

archivist in the Medinaceli archives drew attention to the papers in the archive. It is a possible fruitful area for further research.

Archivo General de Andalucía

This archive is of value as it contains microfilm of the documents from the *Casa Ducal de Medinaceli* private archive.

Archivo Histórico Nacional

Some of the old bundles on the Military Orders were sampled to establish the series of proofs for entry into each Order and to search (without success) for any inquiry into Cobos's bloodline. There is a guide to the different Orders by L. Javierre Mur, *Guía de la Sección de Ordenes Militares* (Madrid, n.d.). The *Sección de Consejos Suprimidos*, was also consulted. There there is an interesting *legajo* on the revenues raised at Cazorla, 1515-18. This is slightly earlier than Cobos's stewardship, but gives an idea of the potential wealth. There is also a printed catalogue of the Order of Grandees in Spain: *Catálogo Alfabético de los documentos referentes a títulos del Reino y Grandezas de España*.

Biblioteca Nacional, Madrid

Apart from its huge secondary printed sources (books and journals), the *Biblioteca Nacional* manuscript room (Cervantes) has an excellent catalogue (*Inventario General de Manuscritos de la Biblioteca Nacional* (Madrid, 1953) to

help access their important and large collection. For some primary sources printed versions were consulted of the manuscripts, such as the inestimable 5-volume collection of letters and writings to and from Charles V, edited by Manuel Fernández Álvarez (Salamanca, 2003). The 2 volumes of Juan M. March (Madrid, 1944) on the childhood of Philip II, with letters to the emperor from his tutors and others, as well as his replies, were also useful and contain an analysis and full text of the emperor's 'Instructions' to Prince Philip.

Real Academia de Historia, Madrid

On issues of genealogy the 18th century papers, collected by Luis de Salazar y Castro and housed in the Real Academia de Historia in Madrid, were consulted. There is a good catalogue by Cuartero y Huerta and Vargas-Zúñiga.

Manuscript Sources

Archivo de la Casa Ducal de Medinaceli

Sabiote, leg. 1, pieza 17 (Testament of Francisco de los Cobos, 1547); leg. 18, no. 1 (Relación hecha por Verdugo de Henao de los bienes, rentas y deudas que poseía el Comendador Mayor de León al tiempo de su muerte) (list made by Verdugo de Henao of the worldly goods, revenues and debts of the Comendador Mayor at the time of his death); leg. 6, 26, 1547 (list of Cobos's assets and income in his *mayorazgo*); leg. 4, pieza 3, 1542 (bull from Pope Clement VII); caja 3, leg. 3, ff. 46-68; caja 3, leg. 1, num. 16; caja 3, leg. 1, nums. 14 B and C (*Mayorazgo*).

Archivo Catedral de Toledo

Ms 915, Obra y Fábrica, Memorial (422 folios, and detailed information on Toledo's history on Cazorla and dispute): legs. 223, 226-227; legs. 44-53; legs. 169-176 v., no. 23; leg. X, 9.1.2 (Fernando el Santo's privilege).

Archivo General de Andalucía

Microfilm nos. 463.490-498; no. 194.005-053; no. 463.500-559; no. 463.298-362; nos. 487.018-020, and 480.367-411; no. 489.018-022; nos. 463.093-104, 463.032-041, and 463.135-142; no. 463.171-187; no. 337.011-016; no. 463.106-133 (Cobos's purchase of Sabiote); no. 479.349-407; no. 1509.24; nos. 269.279-394; nos. 482.653-701, 483.008-125, 479.011-200, 459.016-063 and 479.220-280.

Archivo General de las Indias

Sección Indiferente General, leg. 1801 (Verdugo de Henao's mission for Cobos); leg. 1802 (revocation of Cobos 'derechos', 1552); Patronato, leg. 170, no. 51, 171 (emperor's transfer of 'derecho' to Diego, 1548); Justicia, 1020, no. 1, pieza 5 (extension of Cobos's 'derecho' to all Americas); Lima, leg. 566, lib. 4, f. 88 (Cobos to emperor asking for restitution of lost specie revenues); Lima, leg. 25 (Ibid.); Lima, leg. 136-1, 6, lib. 9, f. 186 (record of silver seizures).

Archivo General de Simancas

CG, legs. 281-284, 251-362 and 899-904 (sales of emperor's *alcabalas* and named individuals buying *alcabalas*,

including document from Cobos to royal treasurer authorising sale).

CJH leg. 7, ff. 169-170 (treasurer's report to emperor on expenses); CJH, leg. 9, ff. 138-147 (Vozmediano's complaints to emperor re Cobos and letters from various to Cobos re ways to raise monies); CJH leg. 15, ff. 189-190 (emperor to Cobos insisting on compliance with bankers' *asientos*).

CMH, leg. 486 (Fuggers to emperor re silver expropriation).

DC legs. 47, 31 (valuations of Military Orders).

E leg. 12, ff. 169-170, E leg. 14, f. 228 and ff. 59-91 (clerical taxes); E leg. 15, f. 20; E leg. 77, f. 84, 1529; E leg. 12, f. 3 (Cobos to emperor re Council of Finance); E leg. 12, ff. 4-6 (Council of Finance statutes); E leg. 20, f. 172, ff. 205-207 (Tavera, 1530, to Cobos re clergy tax) and f. 204 (Tavera to emperor), f. 72 (Fugger *asiento* on clergy tax); E leg. 20, ff. 62 and 203 (Tavera to emperor re Fugger *asiento*); E leg. 21, f. 269 (emperor to Tavera re clerical taxes); E leg. 21, ff. 247-249 (Cobos to emperor re Fugger *asiento*); E leg. 24, f. 178 (Tavera and Cobos to emperor re interest expensee); E leg. 24, ff. 233-335 and E 16, ff. 334-335 (Tavera to emperor complaining re tax burden); E leg. 25, ff. 194, 195, 199 (Tavera to emperor re burden of increase in *servicio*); E leg. 30, ff. 174-175; E leg. 41, f. 76 (emperor promises *Cortes* not to alienate royal property); E leg. 50, f. 48; E leg. 167, 169, 289 (Virrey de Cataluña to emperor, 1539-1542); E leg. 279

(Duque de Gandía to Príncipe Felipe, 1540); E legs. 145, 280 (Marqués de Llombay to Cobos, 1541); E leg. 62 (Cobos to Duque de Gandia); E leg. 287 (Cobos to emperor suggesting moving Llombay to prince's court); E leg. 90. F. 87 (emperor to *Cortes*); E 42, f. 118 (Cobos to Vázquez); E legs. 24, 33-42, 289 (Marqués de Llombay to emperador, 1542); E leg. 24, f. 167 (Cobos response to *Cortes* re *encabezamiento*, 1532); E leg. 24, f. 191 (Cobos conflict with Tavera) and f. 5 (Valuation and transfer of Military Orders); leg. 1316, f. 128 (Hurtado de Mendoza to Comendador Mayor, 1540); E leg. 9, f. 127 (allocation of unpaid *servicio* of Castile for years 1520-1521); E leg. 24, f. 167, 1532; E 20, f. 205-207; E leg. 1523, f. 11 (Cobos negotiation with *Cortes*); E leg. 25, ff. 224-228 (Vázquez to Cobos re Tavera); E leg. 58, f. 39 (rejection of *mercedes* for Salamanca, signed Cobos rubric); E leg. 14, ff. 59-91 and f. 228, E leg. 15, f. 20 (Tavera's reforms); E leg. 21, f. 269; E leg. 13, no. 128 and E leg. 14, ff. 85-86 (Mines in Murcia, Lorca and Cazorla); E leg. 21, f. 247-249.

EMR, leg. 231 (names of creditors and loans from Church); EMR legs. 149, 287, 303 (address to *Cortes*); EMR leg. 372 (expense of *asientos*)

GA, leg. 2, ff. 57-58 (Tavera to emperor re state of finances).

PR, leg. 69, ff. 69, 76, 86 (*Cortes* Commission); PR leg. 70, ff. 9 to 51 (*Cortes* petitions); PR 70, f. 98 (Tavera on audit reform); PR legs. 59, f. 101, 106 (new taxes for Cobos, 1514); PR leg. 62, f. 66 (pope's agreement

re clerical taxes); PR leg. 1, f. 193 (regent Adrian to emperor re clergy taxes); PR leg. 170-71.

QC, legs. 15, 16 (Cobos's appointments, 1516 and 1529); QC, leg. 30 (temporary appointment of Vázquez, 1529); QC, leg. 37.

Archivo Histórico Nacional

Sección consejos suprimidos, tomo I; suprimidos, legs. 28254-28255 (Cazorla revenues pre-Cobos); suprimidos, legs. 4365, 24581, 32311, no. 2, memorial, f. 13 (pope's bulls on disentitlement of Military Orders); Ms 3406, Osuna, copiador de cartas por el Marqués de Mondéjar, 1513-1515 (letters from Tendilla); suprimidos, legs. 27935, num. 4, ff. 25-28, 32311, f. 2, legs. 34378, 34621 (*escrituras* for sale of *señoríos*).

Archivo Municipal de Úbeda

Fondo de Protocolos Notariales, leg. 1515.06-30, (Notario, Fernández de la Puebla, 1515-1530, notarising Cobos's purchases); libro 995, Deán Ortega, Estatutos del Hospital de Santiago de Úbeda, Obra Pía del Deán, 1544; Visita de moribus de Doña María de Mendoza, Obra Pía del Deán, 1568; Contratos para la iglesia de El Salvador, Andrés de Vandelvira, 1536.

Archivo de la Nobleza, Toledo

Osuna, legs. 13, 31 (Marqués de Llombay to emperador, 1542); leg. 21 (la emperatriz to Duque de Gandía, 1529); Osuna, legs. 1041 and 561 (letters from emperor to Borja,

1539-43); Osuna, Ms 3406 (Marqués de Mondéjar, Conde de Tendilla, 7 July 1515, letter from Tendilla to agent Ortíz).

Archivo Particular de Francisco Zabálburu, Madrid

Miró 14, 15; D, 356, 361, 382 (Lópe Hurtado de Mendoza to Juan Vázquez de Molina, 1529-1532); M. 22, 23 (Duque de Gandía); D 62 (Isabel La Reina, Su Testamento); Z 119, 163 (Marqués de Llombay to Cobos, 1539).

Archivo de Rivadavía, Galicia

Leg. 2, num. 30. Contrato de casamiento otorgado por Don Juan de Mendoza y Doña María Sarmiento su mujer, Condesa de Rivadavía de la una parte, y de la Sr. Don Francisco de los Cobos, Secretario de los Reyes, para casarse con Doña María de Mendoza Pimentál; Leg. 2, ff. 21-28. Concierto entre el Comendador Mayor Francisco de los Cobos, Don Juan de Mendoza y Doña María Sarmiento sobre la dote y otras cosas; Leg. 2, 27. Inventario de bienes de Cobos cuando se casó con Doña María Mendoza Pimentál, 1522.

Biblioteca Nacional, Madrid

Osuna, Ms 8446-8447, leg. 4039, 1 and 2 (breve expedido por S. S. El Papa Clemente VII a Don Francisco de los Cobos, 1530); Osuna Ms 10300 (copia de una carta de Francisco de los Cobos a Carlos V, sobre Felipe II y otros asuntos de gobierno, 1543); Osuna, Ms 3315 (copiador de cartas por el Marqués de Mondéjar [Conde de Tendilla], 1513-1515); Ms 1778, ff. 172-173 (al muy magnifico Comendador Mayor de León, 1529 de Juan Alemán); Ms 1778 (García de Loaysa, al

muy señor comendador mayor de León del consejo supremo de la Majestad Católica, 1531); Ms 1778, ff. 334v-347r (Una carta de Fr. Juan de Zumárraga, arzobispo de México al secretario Francisco de los Cobos); Ms 10459, Diego Hurtado de Mendoza, cartas a diversas personas, 1544; Ms 1926, Pedro Mexia, 'Historia del Emperador Carlos V'; Ms 1778, f. 165v (Juan Tavera al Comendador Mayor Francisco de los Cobos); Ms 3406 (letter from Tendilla to his agent, Ortíz, complaining about Conchillas and Cobos, 1515); Ms 1778, f. 155, ff. 214-220 (Tavera's letters to Cobos); Ms 1751, ff. 1-53 (papeles tocantes al emperador Carlos V, Francisco López de Gómera, 'Anales del emperador Carlos V,' also Siliceo's letters to emperor, ff. 437-450); Ms. 1570, f. 41 (pope's indulgences to Cobos and family); Ms 9175, ff. 177-184 (more Siliceo's letters to emperor); Ms 2440, ff. 14-17 (pope's bull of annullment re Cazorla, 1556); Ms 2368 (letters between Borja and Cobos); Ms 3825, ff. 51-52v (Toledo Cortes, 1538); Ms 11599, no. 9 (Toledo Cortes with Cobos's signature); Ms 4013, Augsburg 1548 (emperor's Political Testament); Ms 18729/1, Ordenanzas, Instrucciones y Restricciones para los Chefs, Theserero general y Comisos del dominio y finanzas de S. M. Ordenanzas de Flandes (Decrees and rules for finance heads in Flanders).

Bibliothèque National, Paris

Ms Esp. 143, ff. 73-82v, Diego Hurtado de Mendoza, Sobre el modo de deliberar en los consejos, 1540 (how to give advice in councils).

JCB Library, Providence, R. I.

Ms BB/S7333-1551, Valladolid, 1551.

Lilly Library, University of Indiana, Bloomington

Protocolo Notarial de Diego Gutiérrez, 1543-45, f. 129-131.

Real Academia de Historia

S y C, Casa de Luna, tomo I, f. 265 (Mendoza lineage); S Y C, Ms 198 (Estatutos de la Sacra Capilla de El Salvador, 1544); S y C, Ms 9/130, Historia Genealogia de la Casa de Borja, 1650; Ms 198, 59729, hoja 117-118; M-189, 347-351 (Diego named *Adelantado*); S y C, leg. 59646, ff. 347-351 (*cédula* of Cazorla to Cobos); leg. 59650 (final settlement of Cazorla, 1606); S y C, Ms 6 (*juro* document re Guadalajara purchase from Order of Calatrava).

Printed Primary Sources

Albèri, E., ed. *Relazioni degli ambasciatori veneti al senato*, 14 vols (Firenze, 1839-1859), I.

Archivo Histórico Nacional, Catálogo Alfabético de los documentos referentes a títulos del Reino y Grandezas de España. Sección consejos suprimidos, tomo I.

Archivo Histórico Nacional, Sánchez Belda, *Guía del Archivo Histórico Nacional* (Madrid, 1958).

Aretino, Pietro, *Lettre scritte al Signor Pietro Aretino*, ed. Francesco Marcolini (Venice, 1552).

Argote de Molina, G., *Nobleza de Andalucía* (Jaén, 1991).

Colección de Documentos Inéditos para la Historia de España, 112 vols (Madrid, 1842-1915).

Colmeiro, M. ed. Cortes de los Antiguos Reinos de León y Castilla (Madrid, 1861-1903), IV.

Colon, Cristóbal, Derechos de Descubrimiento, Apelación Final de Cristóbal Colon al Rey Fernando (John Carter Brown Library's Spanish Codex 1, 1505).

Corpus Documental de Carlos V, ed. Manuel Fernández Álvarez, 5 vols (Madrid 1982).

Cuartas Rivero, M., *Consejo de Juntas y Hacienda* (Madrid, 1987).

Juan Fernández de la Gama, Copilación de los establecimientos dela orden dela cavalleria de santiago del espada, (Seville, 1503).

González Palencia, Ángel, ed. *Epistolario de Don Diego Hurtado de Mendoza: Vida y Obra* (Madrid, 1942).

———, *Don Luis de Ávila y Zuñiga* (Madrid, 1932).

Gossaert, Jan, 'Retrato de Francisco de los Cobos y Molina', Los Angeles, J. Paul Getty Museum, c. 1530-1532.

Harkness Collection in the Library of Congress, *Calendar of Spanish Mss concerning Peru, 1531-1578* (Washington DC, 1936).

Herrera, Antonio de, *Historia General de los Hechos de los Castellanos en Tierra Firme* (Madrid, 1591).

Jesu Societatis, *Sanctus Borgia, Quartus Gandiae Dux*, 6 vols (Rome, 1903).

Lettenhove, Baron K. de, *Collection de Chroniques Belge*, 3 vols (Brussels, 1876). [chronicles for Burgundian kings; political memoirs for princes' councils].

———, *Documents inédits relatifs a l'histoire de XVI siecle* (Brussels, 1883).

Los Códigos Españoles Concordados y Anotados, (CECA) 12 vols (Madrid, 1872-84), VI, pp. 567-581; *Las Siete Partidas*

de Alfonso X, ed. J. Sánchez-Arcilla Bernal (Madrid, 2004), II-IV.

Maggiolo, Visconte de, *Codex Ms Atlas*, 1511 charts of three continents (JCB Library, R. I.).

March, J. M., ed. *Niñez y Juventud de Felipe II*, 2 vols (Madrid, 1941).

Martyr d'Anghiera, Pietro, *Opus Epistolarum* [printed copy at JCB Library of 1611 edition].

———, *Cartas sobre el Nuevo Mundo*, trans. Latin, selected letters from *Opus Epistolarum* (Madrid, 1990).

Matilla Tascón, Antonio, *Documentos Notariales de Nobles* (Madrid, 1987).

———, *Declaratorias de los Reyes Católicos sobre juros y otros mercedes* (Madrid, 1959).

Mexía, Pedro de, *Historia del Emperador Carlos V* (Madrid, 1945).

Navarra, Pedro de, Obispo de Comenge, *Diálogo de la preparación de la muerte*, (Palau, c. 1565).

Rodríguez-Villa, Antonio, ed. Martín de Salinas, embajador del infante Don Fernando (1522-1539). El emperador Carlos V y su corte, según sus cartas (Madrid, 1903).

Sandoval, Fray Prudencio de, BAE, *Historia del Emperador Carlos V*, 3 vols (Madrid, 1956), II.

Santa Cruz, Alonso de, *Crónica del Emperador Carlos V* (Madrid, 1919).

Van Durme, Maurice, ed. *Correspondance de Cardenal Granvelle* (1531-1563) (Madrid, 1956).

Viaud, Aude, ed. *Correspondance d'un Ambassadeur Castillien au Portugal dans les années 1530. Don Lópe Hurtado de Mendoza* (Paris, 2001).

Vicente Vignau y Francisco de Uhagon, *Indice de pruebas de los caballeros que han vestido el hábito de Santiago desde 1501 hasta la fecha* (Madrid, 1901).

Secondary Sources

Acemoglu, D., 'The Rise of Europe: Atlantic Trade, Institutional Change, and Economic Growth', *American Economic Review* 95, no. 3 (2005) pp. 546-579.

Alonso García, David, 'Poder financiero y arrendadores de rentas reales en Castilla', *Cuadernos de Historia Moderna*, no. 31, (2006), pp. 117-138.

Albornoz, Sanchez, *España: un enigma historica* (Madrid, 1956).

Anderson, B, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London, 1991).

Ángulo, Diego, 'Pinturas del Siglo XVI en Toledo y Cuenca', *Archivo Español de Arte*, 113 (1956), pp. 43-58.

Armitage, D., *Theories of Empire: 1450-1800* (Aldershot, 1998).

Azarraga Servert, 'Carta Puebla del Señorío de Benameji', *Revista de Historia del Derecho* (1981), pp. 320-343.

Bataillon, M., 'Les Nouveaux Chrétiens de Ségovie en 1510', *Bulletin Hispanique* (1956), pp. 207-216.

———, *Erasmus y Erasmistas en España* (1986, Mexico).

Beinert, B., 'El testamento politico de Carlos V. Estudio critico', in *Carlos V: Miscelanea de estudios en el*

IV centenario de su muerte, ed. by Manuel Fernández Álvarez (Granada, 1958).

Bodin, Jean, *Les six livres de la Republique*, 6 vols. (Paris, 1986), VI.

Boyden, James M., *The Courtier and the King* (London, 1995).

Brandi, Karl, Carlos V: Vida y fortuna de una personalidad y de un imperio mundial (Madrid, 1943).

Braudel, F. and Spooner, F., 'Prices in Europe from 1450 to 1750', in *The Cambridge Economic History of Europe* (Cambridge, 1959), IV, pp. 374-486.

———, *Civilisation and Capitalism*, 3 vols (New York, 1979), III.

Cadenas, Vicente de, *Diario del Emperador Carlos V. Itinerarios, Permanencias, Sucesos, y Efemérides Relevantes de su Vida* (Madrid, 1992).

Camarasa, Marqués de, *Casa de Camarasa: Apuntes para el historial de la Casa de Camarasa* (San Sebastian, 1934).

Carlos Morales, Carlos Javier de, *El Consejo de Hacienda de Castilla, 1523-1602* (Madrid, 1996).

———, 'El régimen polisinodial bajo la égida de Cobos y Tavera', in *La Corte de Carlos V*, ed. J. M. Millán 4 vols (Madrid, 2000), II.

———, 'Carlos V en una encrucijada financiera: las relaciones entre mercaderes-banqueros alemanes, genoveses, y españoles en los asientos de 1529-1533', in *Carlos V y la quiebra del humanismo político* (Madrid, 2000), pp. 43-49.

———, Carlos V y el crédito de Castilla: El tesorero general Francisco Vargas entre 1516 y 1524 (Madrid, 2000), pp. 37-49.

Carande, Ramón, *Carlos V y Sus Banqueros*, 3 vols (Barcelona, 1987).

———, 'El atrayente y ambiciosa Francisco de los Cobos', *Real Academia de la Historia, Boletín* 149, no. 2 (1961), pp. 245-252.

———, 'Carlos V: viajes, cartas y deudas', in *Charles Quint et son temps*, ed. Renouard (Paris, 1958).

———, 'Dos mercedes de doña Juana a Francisco de los Cobos', *Moneda y Crédito*, 128, (1974)

Cardera, Valentín, 'D. Francisco de los Cobos y Molina, Comendador Mayor de León', *BN, Bellas Artes, 1884-1885*.

Carretero Zamora, J. M., 'Liquidez, deuda y obtención de recursos extraordinarios (en torno a los servicios de Cortes en época de Carlos V)', in *Carlos V y la quiebra del humanismo político*, 6 vols (Madrid, 2000), IV, pp. 443-461.

———, 'Fiscalidad extraordinaria y deuda: el destino del servicio de las Cortes de Castilla, 1535-1537', *Espacio, Tiempo y Forma* 8 (1995), pp. 11-47.

———, 'Fiscalidad Parlamentaria y Deuda Imperial', in *Carlos V*, ed. J. M. Millán (Madrid, 2000).

Castro, A. 'Algunas consideraciones acerca el concepto del honor en España en los siglos XVI y XVII', *Revista de Fililología Española* (1916), pp. 1-50.

Cedillo, Conde de, *El Cardenal Cisneros, Gobernador del Reino*, 2 vols (Madrid, 1921-1928).

Ceped, J. 'Desamortización de tierras de las Ordenes Militares en el reinado de Carlos I', *Hispania (Madrid)* (1980), pp. 387-528.

Chaunu, H and P., *Seville et L'Atlantique, 1504-1650* (Paris, 1955).

Chueca Goitia, F., 'Francisco de los Cobos: Política y Mecenaz', *Mágina-Revista Universitaria, Extraordinario 'Francisco de los Cobos'* (1998/99), pp. 5-13.

Chudoba, B., *Spain and the Empire, 1519-1643* (Chicago, 1952).

Cipolla, Carlo M., *La Odisea de la Plata Española* (Barcelona, 1999).

Collantes de Terán, A., *Sevilla en la baja edad media* (Madrid, 1977).

Crews, D. A., 'Juan de Valdés and the *Comunero* Revolt,' *Sixteenth Century Journal* 22 (1991), pp. 769-779.

Davis, Natalie, *The Gift in Sixteenth-Century France* (Oxford, 2000).

Delgado-Gomez, Ángel, *Spanish Historical Writings About The New World, 1493-1700* (JCB Library, R.I., 1992).

M. Drelichman, 'The Curse of Montezuma: American Silver and the Dutch Disease', *Explorations in Economic History*, vol. 42 (2005).

Domínguez Ortiz, A., *El Antiguo Regimen: Los Reyes Católicos y Los Austrias* (Madrid, 1983).

———, *La Clase Social de los Conversos en Castilla en la Edad Moderna* (Granada, 1991)

———, 'Historical research on Spanish conversos in last 15 years', in *Collected Studies in Honour of Americo Castro* (Oxford, 1965).

Elliott, J. H., 'A Europe of Composite Monarchies', *Past and Present*, 137, (1992), pp. 48-71.

———, *Imperial Spain, 1469-1716* (London, 1990).

———, review of Hayward Keniston, Francisco de los Cobos, Secretary to the Emperor Charles V, *Bulletin of Hispanic Studies* 39, no. 3 (1962), pp. 193-196.

———, *The Old World and the New, 1492-1650* (Cambridge, 2000).

Ehrenberg, R., *Capital and Finance in the Age of the Renaissance: a study of the Fuggers and their connections* (New York, 1928).

———, *Le Siecle de Fugger* (Paris, 1955).

Escudero, J. A., *Los Secretarios del Estado y del Despacho*, 4 vols (Madrid, 1969).

———, 'Notas sobre los secretarios de estado entre los siglos XV-XVIX', *Hispania (Madrid)* 128 (1974), pp. 609-6

Espinosa, A., 'The Spanish Reformation: Institutional Reform, Taxation, and the Secularisation of Ecclesiastical Properties under Charles V', *The Sixteenth Century Journal* XXXVII, no. 1 (2006), pp. 3-24.

Fajardo, Ángel Ruiz, ed. 'La Figura Política de Don Francisco de los Cobos', in *Francisco de los Cobos y Su Época* (Madrid, 1997), pp. 13-23.

Ferguson, W. K., review of Hayward Keniston, *Francisco de los Cobos, Secretary to the Emperor Charles V*, *The Canadian Historical Review* 41, no. 4 (1960), p. 346.

Fernandez-Armesto, F., *Amerigo: The Man Who Gave His Name to America* (New York, 2007).

Fernández Hevía, J. M., 'El ejercicio de la formula "obedecer y no cumplir" por parte del Principado durante el siglo XVI', *Boletín del Real Instituto de Estudios Asturianos (Oviedo)*, num. 157 (2001), pp. 123-150.

Fernández-Santamaría, J. A., *The State, War, and Peace — Spanish Political Thought in the Renaissance, 1516-1559* (Cambridge, 1977).

Figueró y Melgar, 'La Orden de Caballería de Santiago', *Hidalguía* (1976), pp. 785-808.

García Guzmán, M. M., 'El adelantamiento de Cazorla en la baja edad medieval, un señorío eclesiástico en la frontera castellana' (unpublished PhD Cadiz, 1985).

———, *Colección diplomática del adelantamiento de Cazorla, 1231-1495* (Cadiz, 1991).

Guilarte, A. M., *El Régimen Señorial en el Siglo XVI* (Valladolid, 1987).

Gutierrez Nieto, J. I., 'Los Conversos y el Movimiento Comunero', in *Collected Studies in Honour of Americo Castro* (Oxford, 1965), pp. 200-220.

Habsburg, Otto von, *Charles V* (New York, 1969).

Haliczer, S., *The Comuneros of Castile: The Forging of a Revolution, 1475-1521* (Wisconsin, 1981).

Hamilton, Earl J., *American Treasure and the Price Revolution in Spain, 1501-1650* (Cambridge, MA, 1934).

Hampe Martínez, T., 'Incidencia de los "Derechos de Cobos" en la Hacienda Peruana', *Anuario de Estudios Americanos*, Tomo XL, pp. 253-295.

Hanke, Lewis, Bartolomé de las Casas, 1474-1566, bibliografía, crítica, y cuerpo de materiales para el estudio de su vida (Santiago de Chile, 1954).

Haring, C. H., Trade and navigation between Spain and the Indies in the time of the Habsburgs (Gloucester, MA, 1964).

Headley, John M., The Emperor and his Chancellor: A Study of the Imperial Chancellery under Gattinara (Cambridge, 1989).

Hendricks, Charles, 'Charles V and the Cortes of Castile. Politics in Renaissance Spain' (unpublished PhD Cornell, 1976).

Hess, A. H., 'The Moriscos: an Ottoman fifth column in sixteenth century Spain', *American Historical Review*, no. 74 (1968), pp. 1-25.

Highfield, R., Spain in the Fifteenth Century (London, 1972).

Hopkins, Phelps-Brown, *A Perspective of Wages and Prices* (London, 1981).

Jago, Charles, 'Habsburg Absolutism and the Cortes of Castile', *American Historical Review* 86, (1981), pp. 307-326.

Kagan, Richard, *Students and Society in Early Modern Spain* (Baltimore, 1974).

———, *Lawsuits and Litigants in Castile, 1500-1700* (Chapel Hill, N.C., 1981).

———, *Spain, Europe and the Atlantic World: essays in honour of John H. Elliott* (Cambridge, 1995).

Kamen, H. *Empire. How Spain became a world power, 1492-1763* (New York, 2003).

Kellenbenz, H., *Los Fugger en España y Portugal hasta 1560* (Madrid, 2000).

Keniston, Hayward, *Francisco de los Cobos, Secretary to Charles V* (Pittsburgh, 1958).

Koenigsberger, H. G., 'Patronage and bribery during the reign of Charles V', *Standen en Landen* 22, (1961), pp. 165-175.

Ladero Quesada, M. A., *La Hacienda real de Castilla en el siglo XV* (Seville, 1973).

———, 'Instituciones Fiscales y Realidad Social en la Baja Edad Media Castellana', *Revista de Historia del Derecho* (1976).

———, 'La historia economica de las Ordenes Militares en el siglo XV,' *Hispania (Madrid)* (1970), pp. 637-662.

———, *España en 1492* (Madrid, 1978).

López de Gómara, F., *Cortés, the life of the conqueror by his secretary, Francisco López de Gómara*, ed. Lesley Byrd Simpson (Berkeley, 1964).

Lynch, J., *Spain under the Habsburgs, Empire and Absolutism* (New York, 1964).

Lomax, D. W., review of Hayward Keniston, *Francisco de los Cobos, Secretary to the Emperor Charles V*, *Hispania (Madrid)* 23, no. 89 (1963), p. 133.

———, *La Orden de Santiago, 1170-1275* (Madrid, 1965).

Maltby, W. S., *The Reign of Charles V* (New York, 2002).

Mauss, Marcel, *The Gift: Forms and Functions of Exchange in Archaic Societies* (London, 1969).

McGovern, J., 'Private Property and Individual Rights in the Commentaries of the Jurists, 1200-1500', *The Jurist* 32 (1972), pp. 39-50.

Mendibúru, Manuel de, *Diccionario Histórico-Biográfico del Peru* (Lima, 1932), vol. 4.

Menéndez Pidal, R., 'Formación del fundamental pensamiento político de Carlos V', in *Charles Quint y son temps*, ed. Renouard (Paris, 1958), p. 1-8.

Merriman, R. B., *The Rise of the Spanish Empire in the Old World and the New* (Oxford, 1912).

Millán, J. M., ed., *La Corte de Carlos V*, 3 vols (Madrid, 1990), II.

———, ed. *Carlos V y la quiebra del humanismo político en Europa (1530-1558)* (Madrid, 2000)

———, 'Las élites de poder durante el reinado de Carlos V', *Hispania (Madrid)* 48 (1988), pp. 103-167.

———, Instituciones y élites de poder en la monarquía hispana durante el siglo XVI (Madrid, 1992).

Montes Bardo, Joaquín, La Sacra Capilla de El Salvador: Arte, Mentalidad, y Culto (Úbeda, 2002).

———, 'Alegoría Eucarística en la Capilla Funeraria de Don Francisco de los Cobos', *Mágina-Revista Universitaria, Extraordinario 'Francisco de los Cobos'* (1998/99), pp. 43-57.

Moxó, Salvador de, Feudalismo, señorío y nobleza en la Castilla medieval (Madrid, 2000).

———, 'Los Señoríos', *Hispania (Madrid)*, 94 (1964), appendix pp. 399-430.

———, Las desamortizaciones eclesiásticas del siglo XVI (Madrid, 1961).

Muñoz y Romero, eds., Diccionario-bibliográfico-histórico de los antiguos reinos, provincias, villas y iglesias de España (Madrid, 1858).

Nadal, Jordi, 'La revolución de los precios españoles en el siglo XVI', *Hispania (Madrid)* 19 (1959), pp. 503-529.

———, España en su cénit (1516-1598): un ensayo de interpretación (Barcelona, 2001).

———, La población española (siglos XVI-XIX) (Barcelona, 1971).

Nader, Helen, The Mendoza Family in the Spanish Renaissance, 1350-1550 (Camden, N. J., 1979).

———, Liberty in Absolutist Spain: the Habsburg Sale of Towns, 1516-1700 (Baltimore, 1990).

Pacini, A., La Genova di Andrea Doria nell' Impero di Carlo V (Florence, 1999).

Pagden, A., Spanish imperialism and the political imagination (New Haven, 1990).

———, Lords of All the World: ideologies of empire (London, 1995).

———, *Cartas de Relación* (London, 1986).

Parker, Geoffrey, The Military Revolution: Military innovation and the rise of the West, 1500-1800 (Cambridge, 1996).

———, The Army of Flanders and the Spanish Road, 1567-1659 (Cambridge, 1972).

———, *The Grand Strategy of Philip II* (New Haven, 1998).

Parry, J. H., *The Spanish theory of empire in the sixteenth century* (Cambridge, 1940).

———, *The Spanish Seaborne Empire* (London, 1966).

Pérez, J., review of Hayward Keniston, *Francisco de los Cobos, Secretary of the Emperor Charles V*, *Bulletin Hispanique* 64 (1962), p. 280.

———, *Carlos V* (Madrid, 2004).

Phelan, J. L., review of Hayward Keniston, *Francisco de los Cobos: Secretary to the Emperor Charles V*, *Speculum: a Journal of Medieval Studies* 36, no. 1 (1961).

Phelps-Brown and Hopkins, *A Perspective of Wages and Prices* (London, 1981).

Polanio Ortega, L., *El Adelantado de Cazorla* (Madrid, 1935).

Postigo Castellanos, E., *Honor y privilegio en la Corona de Castilla* (Valladolid, 1988).

Rady, Martin C., *Emperor Charles V* (London, 1988).

Rodríguez-Salgado, M., *The Changing Face of Empire* (Cambridge, 1988).

Rivera Récio, J. F., *El Adelantamiento de Cazorla* (Toledo, 1948).

Roover, Raymond de, *Business, Banking and Economic Thought in Late Medieval and Early Modern Europe* (Chicago, 1974).

Ruíz Martín, F., 'Credit procedures for the collection of taxes in the cities of Castile during the sixteenth and the seventeenth centuries', in *The Castilian Crisis of the 17th Century*, ed. A. A. A. Thompson (Cambridge, 1994), pp. 169-181.

———, 'Las Finanzas del Emperador', in *El Imperio de Carlos V*, ed. M. Fernández Álvarez (Madrid, 2001).

Salazar y Castro, Luis de, *Los Comendadores de la Orden de Santiago*, 2 vols (Madrid, 1949).

Saltillo, Marqués de, *Historia Nobiliaria Española* (Madrid, 1951)

Sánchez González, Antonio, 'La Documentación Patrimonial del Secretario de Carlos V', in *Francisco de los Cobos y su época* (Madrid, 1997).

Schaffer, E., *El Consejo Real y Supremo de las Indias* (Seville, 1935).

Spufford, P., *Handbook of Medieval Exchange* (London, 1986).

Spooner and Braudel, 'Prices in Europe from 1450 to 1750', in *Cambridge Economic History of Europe* (Cambridge, 1959), IV, pp. 374-486.

Sluiter, E., *Gold and Silver of Spanish America* (Berkeley, CA, 1998).

Suppan, S., 'Property and propriety in the political writings of Juan de Valdés', *Mediterranean Studies* (1994), pp. 81-90.

Thompson, I. A. A., *Crown and Cortes: Government, Institutions and Representation in Early-Modern Castile* (London, 1993).

———, 'Castile, Absolutism, Constitutionalism, and Liberty', in *Fiscal Crisis, Liberty and Representative*

Government, 1450-1789, ed. P. T. Hoffman (Stanford, 1994), pp. 181-225.

———, 'The Institutional Background to the Rise of the Minister-Favourite', in *The World of the Favourite*, ed. J. H. Elliott (Yale, 1999).

———, *War and Government in Habsburg Spain, 1560-1620* (London, 1976).

Torres López, M., Pérez-Prendes, Los Juros: aportación documental para una historia de la deuda publica en España (Madrid, 1963).

Tracy, James D., *Emperor Charles V, impresario of war: campaign strategy, international finance, and domestic politics* (Cambridge, 2002).

———, 'War Finance and Fiscal Devolution in Charles V's Realms', in *World of Emperor Charles V*, ed. W. Blockmans (Amsterdam, 2004).

Tyler, Royall, *The Emperor Charles the Fifth* (Fair Lawn, N. J., 1956).

Ulloa, Modesto, Las rentas de algunos señores y señoríos castellanos bajo los primeros Austrias (Montevideo, 1971).

Valdeavellano, Luis G. de, Curso de Historia de las Instituciones Españolas, de los orígenes al final de la Edad Media (Madrid, 1970).

Val Valdivieso, M., 'Resistencia al dominio señorial durante los ultimos años del reinado de Enrique IV', *Hispania (Madrid)* (1974), pp. 53-104.

Vázquez de Prada, V., Aportaciones a la Historia Económica y Social de España y Europa: Siglos XVI y XVII (Pamplona, 2000).

Vives Vicens, J., Estructura administrativa estatal en los siglos XVI y XVII (Madrid, 1974).

———, An Economic History of Spain (Princeton, 1969).

Wright, L. P. 'The Military Orders in Sixteenth and Seventeenth Century Spanish Society', *Past and Present*, 43 (1969), pp. 34-70.

———, 'The Military Orders in Habsburg Spain', (unpublished PhD Cambridge, 1970).